

CS No.320/25
Hushna Begum through SPA Jainul Abdeen Vs.
Mahesh Aggarwal

29.08.2025

Present: Mr. Tahir Hussain, Ld. Counsel for plaintiff
alongwith plaintiff.
Mr. Rajeev Kumar Rai, Ld. Counsel for the
defendant alongwith defendant in person.

Written statement, reply to application under Order 39 Rules 1 & 2 of CPC and documents are filed by Ld. Counsel for the defendant.

He submits that defendant is not the owner of the property. He states that it is Mr. Ved Prakash Aggarwal, father of the defendant who is the owner.

He submits that the title documents filed by the plaintiff are forged and fabricated. He states that copy of title documents of Mr. Ved Prakash Aggarwal have been filed alongwith written statement.

He points out that valuation of the property has been incorrectly done by the plaintiff. He states that the market value of the property is atleast Rs.50 lakhs and documents showing the valuation have also been filed alongwith written statement.

He submits that the application of the plaintiff under Order 39 Rules 1 & 2 of CPC may be allowed.

He undertakes that the defendant and his representatives will not create third party interest in the property till disposal of the suit.

In view of the above submission of the Ld. Counsel for the defendant, the application of the plaintiff under Order 39 Rules 1 & 2 r/w Section 151 CPC is allowed.

The defendant and his representatives are restrained from creating third party interest in property bearing no. D-1/162, New Kondly, Delhi till disposal of the suit.

Ld. Counsel for the plaintiff submits that he will take steps for amendment of the plaint.

To come up on 03.11.2025.

(Shirish Aggarwal)
District Judge-03
East District, KKD Courts,
Delhi, 29.08.2025