

25.05.2026

Pr. Sh. Jaan Mohd., Id. Counsel for plaintiff along with plaintiff.

Sh. Shiv Dutt Kaushik, Ld. Counsel for all defendants as well as for proposed defendants through VC.

Defendant No.3 in person.

Settlement talks have failed.

An application under Order I Rule 10 is pending adjudication for impleadment of LRs of late Ms. Jayshree Ben and Late Ms. Hansa Ben. Arguments heard. Record perused.

The present is a suit for declaration, partition, possession and permanent injunction. The case of the plaintiff is that her mother-in-law Smt. Shanta Bain was owner of the property bearing No. C-9, New Govindpura, Krishna Nagar, Delhi, who died intestate. The proposed defendants are the children of deceased daughters of late Ms. Shanta Bain. They are necessary party to the instant suit for partition and their presence is essential for determination of the real matter in controversy. Accordingly, they are impleaded as defendants No.7 to 12 in the present suit. Amended memo of parties is taken on record.

Another application under Order VI Rule 17 CPC for amendment of plaint is pending adjudication. Arguments heard. Record perused.

By way of instant application, the plaintiff is seeking amendment in the plaint to the extent that share of the plaintiff,

due to impleadment of LR's of deceased daughters of late Smt. Shanta Bain, would reduce to 1/9th share. Order I Rule 10 (4) provides that where a defendant is added, the plaint shall be amended in such manner as may be necessary. The need for proposed amendment has arisen owing to impleadment of LR's of deceased daughters of late Smt. Shanta Bain, and in terms of order I Rule 10(4) the amended plaint is taken on record. The application in hand is disposed off as allowed.

Written statement to amended plaint along with affidavit of admission/denial be filed within 30 days from today with advance copy to opposite side. Replication along with affidavit of admission/denial be filed within 30 days from the date of supply of written statement.

Re-notify the matter for completion of pleadings/arguments on application under Order XXXIX Rules 1 & 2 CPC, on 20.07.2026.

(SHUCHI LALER)  
District Judge-02 (East),  
Karkardooma Courts/25.05.2026