

CS299/19

MOHD AKHLAQ Vs. AKRAM AND OTHERS

10.12.2024

Present: Ld. Counsel for plaintiff.  
Ld. Counsel for all defendants except D-6.  
D-6 is ex-parte.

Affidavit in admission/denial filed on behalf of contesting defendants. Copy supplied.

Affidavit in admission/denial on behalf of plaintiff already filed. Copy supplied.

Perusal of file shows that initially the present suit was filed by Mohd. Akhlaq/plaintiff who has expired on 09.10.2020. Thereafter, his LRs were impleaded vide order dated 11.03.2024.

Admittedly, parties herein are Muslims and there is no dispute before this Court that they are Sunni Muslims. The present suit is inter-alia for partition of a property which as per plaintiff belongs to his mother Hajra Begum @ Aas Rani. As per plaint, she died on 04.08.2019.

As per prayer made to his Court, plaintiff is seeking 1/7th share of the 75% of the suit property measuring 55 sq yards. From the pleadings of the plaint, it is not clear how the plaintiff has arrived at the said share prayed in prayer (a).

Also, the affidavit of admission/denial is filed by only LR of Mohd. Akhlaq namely Salman and not by the others.

Let plaintiff clarify on the aforesaid aspects. List on 20.02.2025.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
10.12.2024