

CS 299/19  
MOHD AKHLAQ Vs. AKRAM AND OTHERS

15.12.2025

Present: Ld. Counsel for LR's of plaintiff,  
Ld. Counsel for all defendants except D-6.  
D-6 is ex-parte.

Amended written statement filed by contesting defendants. No amended replication filed.

Right of LR's of plaintiff to file amended replication is closed.

Parties do not press for admission/denial. Thus, admission/denial stands complete. Based on the pleadings of the parties the following issues are framed:-

- i) Whether LR's of plaintiff are entitled to a decree of partition as prayed for in prayer (a) of the plaint? OPP**
- ii) Whether LR's of plaintiff are entitled to a decree of permanent injunction as prayed for in prayer (b) of the plaint? OPP**
- iii) Whether D-1, D-2, D-4 and D-5 are the absolute owners of the respective shares (as delineated in Will dated 13.08.2015 executed by Hasra Begum in favour of said defendants) in terms of registered will dated 13.08.2015? If yes, its effect? OPD**
- iv) Whether the suit is bad for non-joinder of necessary parties? OPD**
- v) Whether Hasra Begum had given money to plaintiff Akhlaq in lieu of his share in the suit property in 1996? If yes, its effect? OPD**
- vi) Whether the original plaint herein was neither signed nor verified by original plaintiff Akhlaq? If yes, its effect? OPD**
- vii) Relief.**

No other issue arises from the pleadings of the parties or is pressed for.

At this stage, parties jointly request to refer the matter of Mediation Centre to explore the possibility of settlement. Accordingly, matter is referred to Mediation Centre for **15.12.2025 at 12:00 PM**.

List before this Court for report on settlement and in the alternative for PE on **09.02.2026, 10.02.2026, 11.02.2026, 12.02.2026 and 13.02.2026**. It is clarified that in case matter is not settled, no adjournment shall be granted to the plaintiff for their evidence considering the fact that matter pertains to senior citizens and it is one of the oldest matter in this Court.

LRs of plaintiff to file affidavit in evidence of all their witnesses at least 15 days prior to next date of hearing with copy to other side.

Parties are directed to file their list of witnesses within 2 weeks from today.

Aashish Gupta  
DJ-01/NE/KKD/DELHI  
15.12.2025