

2 CS DJ 395/19 SHISHPAL MEHTA AND ANR Vs. SUSHIL
KUMAR SAXENA AND
ORS

20.07..2026

Present: Sh. M.S Pawar Sh. Vinod Dahiya and Ms. Pushpa
Kanojia, Ld Counsel for the plaintiff.
Defendants are already ex parte.

1. D5/Megha Handa is stated to have been served through publication on 20.04.2026. Till date, D5 is unrepresented.
2. WS, if any, be filed by D5 along with requisite application with an advance copy to the opposite party
3. An application u/o 6 Rule 17 CPC is pending consideration. It is submitted by the Ld. Counsel that by way of present application the plaintiff is seeking amendment in para no. 15 by adding 15A, 15B and 15C paragraph. Further, plaintiff is seeking to amend the prayer clause by adding prayer no. i(a) i(b) and i(c) and prayer iii(a). Heard. Considered. I am of the view that if the present application is allowed no prejudice will cause to any party as the suit is at initial stage and issues are yet to be framed. Accordingly application stands allowed. The amended plaint is on record. Be taken on record.
4. An application u/o XXXIX Rule 1 and 2 CPC is pending consideration. It is prayed by applicant/plaintiff that defendant be directed not to create third party interest in the suit property bearing plot area measuring 26 sq mtrs bearing plot no. 924, Pocket C 6, Sector 34, Rohini, Delhi-06. Heard. Considered. I am of the view that present suit is filed by plaintiff praying declaration that the sale deed dt. 14.03.2019 executed by D1 and D2 in favor of D3 as null and void. Further plaintiff is seeking specific

performance of bayana receipt/agreement. I am of the view if the suit property which is the subject matter of the present suit is not protected from further alienation then it will lead to multiplicity of the proceedings.

5. *Accordingly, in view of that defendant are restrained from creating third party interest in the suit property bearing plot no. 924, Pocket C 6, Sector 34, Rohini, Delhi-06.*
6. Accordingly, application stands disposed of in abovesaid terms.
7. Put up for further proceedings on **08.09.2026**

(Akbar Siddique)
DJ-04, North, Rohini Courts,
Delhi/20.07.2026