

CS 212/26

SMT BABY Vs. MR MOHAN LAL

23.07.2026

Present: Sh. Shankar Lal, Ld. Counsel for the plaintiff (through VC).
Sh. Anubhav Sharma, Ld. Counsel for the defendant no.4 (through VC).
Sh. Chandrakar Mishra and Sh. Gayoor Alam, Ld. Counsels for the defendants no.1 to 3.
Defendant no.4 in person.

An application U/s 151 CPC filed on behalf of the defendant no.4 for taking on record the signed WS, as inadvertently the earlier WS filed by defendant no.4 was unsigned. Copy supplied.

Ld. Counsel for the plaintiff submits that he has no objection if the said WS of defendant no.4 may be taken on record.

In view of the above, the application U/s 151 CPC filed on behalf of the defendant no.4 stands allowed. WS of defendant no.4 is taken on record.

An application U/o 1 Rule 10 CPC filed on behalf of the plaintiff for impleading one Mr. Sameer as defendant in the present suit, who is stated to be the previous owner of the suit property. Copy supplied.

During arguments, Ld. Counsel for plaintiff seeks leave to withdraw the said application with liberty to summon Mr. Sameer as witness in support of his case.

In view of the same, the application U/o 1 Rule 10 CPC filed on behalf of the plaintiff stands dismissed as withdrawn.

Arguments also heard on the application U/o 39 Rule 1 and 2 CPC from both the sides.

It is submitted by both the parties that it is the defendants no.2 to 4 who are in possession of the suit property.

Defendant no.4 is residing in the suit property as tenant of defendant no.2.

It is the contention of the plaintiff that he has purchased the suit property from its previous owner Sh. Sameer on 05.08.2024, whereas on the other hand, defendant no.2 stated to have purchased the suit property from Sh. Sameer on 01.08.2023.

The above contention cannot be decided at this stage and requires adjudication and trial.

In view of the above, both the parties are directed to maintain status-quo w.r.t. title and possession qua the suit property till the disposal of the present suit.

The application U/o 39 Rule 1 and 2 CPC stands disposed of.

Put up for filing of replication, if any on 24.10.2026.

**(Ankur Jain-II)
DJ-02, SHD District
KKD/Delhi 23.07.2026**