

CS202/21

GUNJAN JAIN Vs. MADHUR JAIN AND ORS

24.04.2024

Present: Sh. Manu Gupta and Sh. Aman Kumar Singh, Ld. Counsels for the plaintiff along with plaintiff.
Sh. Prateek Mehra, Sh. Vikas, Sh. Chirag Vohra and Sh. Anshul Luthra, Ld. Counsels for the defendants no. 1 to 3.
Sh. Sidhane Dhingra, Ld. Counsel for the defendant no. 5.

Amended WS filed by defendant no. 5 on 20.04.2024 along with application under Order 39 Rule 4 CPC. Copy supplied.

Arguments heard on the application under Order 39 Rule 4 CPC from both the sides.

Ld. Counsel for the defendant no. 5 has grievance that vide order dated 16.08.2022, Ld. predecessor of this Court had passed the status quo order in respect of property bearing no. 438/5, Street No. 11, Bhola Nath Nagar, Shahdara, Delhi in the absence of defendant no. 5, when it was duly mentioned in the said order that the suit property was sold to defendant no. 5 by the defendant no. 1 on 16.04.2021.

It is admitted by Ld. Counsel for the defendant no. 5 that at present defendant no. 5 is in possession of the suit property and also having registered sale deed of the said property in his name.

In view of the above, it is made clear that the status quo order granted by Ld. predecessor of this Court vide order dated 16.08.2022 shall remain in effect also against the defendant no. 5 from today till the disposal of the present suit, both with respect to the possession as well as title qua the suit property.

The application under Order 39 Rule 4 CPC is filed by defendant no. 5 is disposed of accordingly.

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Put up for filing of replication/framing of issues on
23.07.2024.

(Ankur Jain-II)
ADJ-02, SHD District
KKD/Delhi 24.04.2024