

4 CS 376/25

Masroor ahmad Vs. Qaiser Begum and others

18.09.2025
AT 10:11 AM

Present: Sh. Haseenuddin, Ld. Counsel for plaintiff through VC.
Sh. Abbas Khan, Ld. Counsel for defendants along with defendants
Sh. Gaurav, Dispatch Rider from SDM Office, Shahdara, Delhi

Fresh Vakalatnama filed on behalf of defendants No.1,2,3,4, and 6. Same is taken on record. Ld. Counsel submits that he will also file the vakalatnama on behalf of D-5 on or before the next date of hearing.

Status report filed.

As per report of SDM, plaintiff is earning an amount of Rs.12,000/- per month. He does not possess any movable or immovable property in his name. Plaintiff is residing at the first floor of the property/H.No.12-B/9, Street No.12B, Maujpur, North East, Delhi-110053, which is owned by D-1.

Ld. Counsel for plaintiff submits that plaintiff has to maintain his four children and wife, out of his monthly income. He further submits that plaintiff is not in a capacity to pay court fees.

Heard.

Considering the contentions made in the application, report of SDM, submissions of Ld. Counsel and affidavit of

plaintiff, the application under Order XXXIII CPC stands allowed.

Plaintiff is exempted from filing the court fees on the plaint.

The application is accordingly disposed of.

Suit be registered.

Ld. Counsel for defendants submits that defendant No.1 is in possession of the suit property i.e. H. No.12/-B/10, Street No.12B, Vijay Mohalla, Maujpur, Delhi-110053 and property bearing No.F-150, Shop No.A-IV, Khasra No.273, Street NO.5, Subhash Mohalla, Vijay Mohalla, Maujpur, Delhi-110053. He further submits that defendants have no intention to sell, alienate, transfer or create any third party right or interest in the suit property qua title or possession in any manner whatsoever, during the pendency of the present suit.

Separate statements of defendants No.1, 2, 3, 4 and 6 have been recorded.

In view of the submissions, contentions made in the application and considering the statements of defendants No.1,2,3,4 and 6 recorded today, defendants are restrained from selling, alienating, transferring or creating any third party right or interest in the suit property i.e. (1) H.No.12/-B/10, Street No.12B, Vijay Mohalla, Maujpur, Delhi-110053 and (2) property bearing No.F-150, Shop No.A-IV, Khasra No.273, Street NO.5, Subhash Mohalla, Vijay Mohalla, Maujpur, Delhi-110053 qua title or possession in any manner whatsoever, during the pendency of the present suit.

CS 376/25

Masroor ahmad Vs. Qaiser Begum and others
- : 3 : -

The present application under Order XXXIX Rule 1 and 2 r/w Section 151 CPC stands allowed and accordingly disposed of.

Defendants are directed to file their WS and affidavits of admission and denial of documents within 30 days from today with an advance copy to plaintiff.

Parties are directed to produce the original documents on the next date of hearing.

Parties are directed to appear in person on the next date of hearing for the purpose of admission and denial of documents and recording their statements under Order X CPC, if required.

Put up for completion of pleadings, admission and denial of documents and framing of issues on 16.01.2026.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
18.09.2025