

4 CS 301/22

**ZAHIDA KHAN AND ORS - SENIOR CITIZEN Vs. VIKAR ALI AND
ORS**

16.07.2025

Present: Sh. S. H. Khan and Sh. Daniyal Abbas, Id. Counsel for plaintiff.
Sh. M. L. Sharma, Id. Counsel for defendant no. 1 to 7.
Sh. Mahesh Saxena, Id. Counsel for defendant no. 8.

Counsel for the plaintiff presses upon his application u/o XXXIX
Rule 1 & 2 CPC.

Perusal of record shows that the said application has already been
allowed and disposed off vide order dated 17.08.2024.

Counsel for the plaintiff submits that property documents qua the
suit property (bearing no. 9-A, Ground Floor, Khasra no. 99, at vill. Sikdar Pur
in the abadi of Balbir Nagar Extn., Loni Road, Shahdara, Delhi presently
MCD allotted no. A – 54/A, Ground Floor, Gali no. 8, Jyoti Colony, Shahdara,
Delhi – 110093) is in the name of deceased husband of plaintiff no. 1.

Counsel for defendants submits that the suit property was
purchased through the joint family funds. Id. Counsel for defendants further
submits that the suit property was purchased in the name of husband of
plaintiff no. 1 as the plaintiff had applied for employment visa in Middle east
countries and he was required to show some property on his name.

Counsel for plaintiff submits that no such defence has been
averred in the written statement. Counsel for the plaintiff further submits that
he would move an application u/o XII Rule 6 CPC.

Be filed within 04 weeks with advance copy to the other side.
Reply, if any, to the said application be filed by the defendants within 04 weeks thereafter with advance copy to the other side.

Put up for arguments on application u/o XII Rule 6 CPC on
16.10.2025.

(Mohammad Ehtesham)
DJ – 03, Shahdara District,
Karkardooma Courts, Delhi
16.07.2025