

35 CS 674/22

FAKHRA FIRDOS AND OTHERS Vs. BUSHRA MAAZ AND ORS.

13.01.2026

Present : Sh. S. K. Singh and Sh. Shoib Idrishi, Ld. Counsel for Plaintiffs.
Sh. Mahender Shukla, Ld. Counsel for Defendants (through VC) and proxy counsel Ms. Laiba is present in court.

Matter is listed today for arguments on two applications i.e. under Order XXXIX Rule 1 & 2 CPC of plaintiff and under Section 151 CPC of the defendants.

Ld. Counsel for Defendant submits that he has no objection if the application under Order XXXIX Rule 1 & 2 CPC filed by the plaintiff is allowed and status quo order may be passed till the final disposal of the matter.

Ld. Counsel for Plaintiff submits that interim stay order was already passed on 18.10.2024.

Arguments heard on above application. Record perused.

Admittedly, all the Plaintiffs are siblings; and Defendant no. 1 is the wife of deceased brother of plaintiffs. Defendants no. 2 and 3 are the children of Defendant no. 1. Defendants alleged that the suit property belong to the 'father' of the plaintiffs. Plaintiffs alleged that suit property belong to 'mother' of the Plaintiffs.

Be that as it may be. It is not disputed that the suit property belong to the parents of the Plaintiffs.

In view of submissions of Ld. counsel for defendants, the Order dated 18.10.2024 is made absolute. Parties are directed to maintain status quo in respect of the suit property i.e. Property No. 116, part of Khasra no. 113/2, situated in the abadi of Gali no. 7, Markazi Chowk, Jafrabad, in the area Village Jafrabad and Illaqa Shahdara, Delhi-110053 till the pendency of the present suit. Thus, the aforesaid application is **disposed off**.

It is jointly submitted that pleadings are complete and issues may be framed in this matter. However, Ld. Counsel for Defendant seeks to file proposed issues.

Both the parties are at liberty to file proposed issues with advance copy to other side.

Ld. Counsel for Plaintiff submits that defendant has not paid the previous costs.

Ld. Counsel for Defendant submits that he has already moved an application for waiver of the said costs.

Put up for consideration on above application of the Defendant and for framing of issues on **09.02.2026**.

(MOHAMMAD EHTESHAM)
District Judge-03 (Shahdara),
KKD Courts, Delhi. 13.01.2026