

22 CS DJ ADJ 296/23 UMRAWATI DEVI Vs. KAMESHWAR SAH AND OTHERS

30.11.2024

Present: Plaintiff in person.

Sh. Manoj Kumar, Ld. Counsel for defendant no. 2.

Defendant no. 3 is already declared *ex-parte* vide order dt. 23.11.2023.

Plaintiff submits that, she does not have any title documents for scheduled properties and same are lying with defendants. Record reveals that, statement of defendant no. 1 is already recorded in this respect and as per defendant no. 1, he does not have title documents for scheduled properties.

At this stage, plaintiff submits that, her main counsel is on the way and requested for passover.

At request of plaintiff, passover for 12:00 Noon.

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: 30.11.2024 (sr)

At 12:57 PM

Present: Sh. S P Sagar, Ld. Counsel for plaintiff along with plaintiff.

Sh. Manoj Kumar, Ld. Counsel for defendant no. 2.

Defendant no. 3 is already declared *ex-parte* vide order dt. 23.11.2023.

Submissions heard. Record perused.

Present suit for partition filed qua scheduled properties i.e. as follows:

1. *C-120, (old No.32) comprised in Khasra No.117/10 Gali No.37, Mahavir Enclave Part III, New Delhi, measuring 100 sq.yds.*
2. *C-118, comprised in Khasra No.117/10 Gali No.37, Mahavir Enclave Part III, New Delhi, measuring 100 sq.yds.*
3. *A-19, 25 Foota Road, Sainik Enclave, Mohan New Delhi measuring Garden, Uttam Nagar, New Delhi, measuring 200 sq.yds.*

Although, title of above scheduled properties is duly admitted by defendant no. 1 but, no title deed is produced by any of the parties, more specifically for scheduled property no. 2 and 3. Thus, until and unless the title of the scheduled properties is not clarified, matter could not proceed further. Since, this is a partition suit, parties are having interest in the subject matter, hence directed to provide title documents for scheduled properties.

At this stage, Ld. Counsel for plaintiff passed derogatory remarks against this court and submits that, this court has not permitted him to make submissions. In view thereof, plaintiff is directed to be careful in future. In any case, plaintiff is at liberty to get the present matter transferred to any other appropriate court.

Now, come up for further proceedings on **30.01.2025**.

(SHILPI M JAIN)
DJ-05 (SW)/Dwarka Courts
New Delhi: 30.11.2024 (sr)