

5 CS DJ ADJ 369/25 RAJIV GOEL Vs. SHASHI BALA  
21.05.2025

Present: Sh. Hemraj Singh , Ld. Counsel for plaintiff, along with plaintiff  
no. 2  
Sh. Lakshya Yadav, Ld. Counsel for Defendant no. 1  
Sh. Pravinder Singh Goindi, Ld. Counsel for defendant. no. 2, 3  
and 4

Fresh Vakalatnama filed on behalf of defendant no. 2,3 and 4

Process issued to defendant no. 1 has not been received back. Be  
awaited. Meanwhile issue fresh summons to defendant through all authorised  
modes on filing of PF/RC for NDOH.

At this stage Ld. Counsel for Plaintiff pressed upon his application  
under order XXXIX rule 1 and 2 CPC. However, Ld Counsel for defendant  
no. 2,3 and 4 submits that, without prejudice to right and contention of  
defendant he shall not create third party right with respect to title till NDOH.  
He further submits that present suit is not maintainable as same pertains to  
pre-emption rights while absolute Sale Deed for 50% undivided share of suit  
property already executed in favour of defendant by co-sharer and defendants  
are in possession of their shares.

Submission heard.

In view thereof, parties are directed to bring case laws in support of  
their contentions.

Put up for argument and further proceedings on **20.08.2025**.

(SHILPI M JAIN)  
DJ-05 (SW)/Dwarka Courts  
New Delhi: 21.05.2025