

SHITAL SINGH Vs. MANMOHAN SINGH

14.03.2026

Case file was listed on 02.03.2026 and is taken up today as per the notification no. 64/F-4/Gen-I/DHC dated 27.02.2026 issued by Hon'ble High court of Delhi as 02.03.2026 was declared as holiday.

Present: Sh. Anil Kumar Jain and Sh. Yash Saini, Ld counsels for the plaintiff.
Sh. Shreynik Bhardwal, Ld LAC for D-2.
Ms. Sangeeta, ld proxy counsel for D-1 & D-3.

Ld counsel for D-2 submits that the previous cost of Rs. 3000/- may be waived as defendant no. 2 is a poor person and not in a position to pay the said cost.

In view of the submissions of ld counsel for D-2, the cost is reduced from Rs 3000/- to Rs 1500/- to be paid to ld counsel for plaintiff as well as ld counsel for D1 & D-3 equally.

Ld counsel defendant no. 2 has argued that in view of order dated 24.04.2024 passed by Hon'ble High court of Delhi, the present suit is liable to be dismissed as issue no. 1 has been decided against the plaintiff and in favour of the defendants. He further argued that Ld. Trial court has treated issue no. 1 as preliminary issue and passed order on the said issue in favour of the plaintiff on 26.09.2017. He further argued that against the order dated 26.09.2017, Civil Miscellaneous petition was filed and in the said Civil Misc petition, vide order dated 24.04.2024, the preliminary issue no. 1 has been decided in favour of the defendants and against the plaintiff.

The issue no. 1 is reproduced as under:

Issues no. 1: Whether the suit filed by the plaintiff is liable to be dismissed, in view of the existence of the Will dated 13.01.1989? OPD.

The abovesaid issue has been decided against the plaintiff in favour of the defendants.

At this stage, Ld counsel for the plaintiff seeks an adjournment for filing appropriate petition before Hon'ble High court of Delhi seeking further clarifications/directions in the present matter as the suit property can be partitioned on the basis of intestate succession of Late Sh. Gurcharan Singh.

Heard.

Last opportunity is given to the plaintiff for the said purpose.

Put up for final arguments on **19.05.2026**.

It is made clear that no further adjournment for the abovesaid purpose shall be given to the plaintiff, on the NDOH.

(SHIV KUMAR)
DJ-02 (W)THC:Delhi
14.03.2026