

01.12.2025

Present: Sh. SUnil Kumar, ld. counsel for the plaintiff.
Sh. Jabbar Ali, ld. counsel for the defendant no. 1 & 2
Sh. Vinay Rathi, Ld counsel for DUSIB.

Arguments heard on the application filed under order 1 rule 10 CPC from both sides.

In the present case, the petitioners are seeking releif of partition of the property of Late Smt Kela Devi, which was allotted to her by DUSIB.

As per submissions of the Ld counsel for the parties, Late Smt Kela Devi have following legal heirs, which falls in Entry no. A of Section 15 of Hindu Succession Act, 1956.

1. Sh. Ram Ratan S/o Smt Kela Devi (plaintiff no. 1).
2. Smt Murti W/o Late SH. Ashok Kumar (deceased son of Smt Kela Devi) (Plaintiff no. 2).
3. Mr Ravi S/o Late Sh. Ashok Kumar.
4. Ms. Manju D/o Late Sh. Ashok Kumar.
5. Sh. Shankar D/o Sh. Ashok Kumar.
6. Smt Raj Bala D/o Late Smt Kela Devi.
7. Sh. Subhash S/o Late Smt Kela Devi (defendant no. 1)

The other legal heirs mentioned in the abovesaid application does not fall in Entry no. A of Section 15 of Hindu Succession Act, 1956, so, they are neither necessary party nor proper party in the present case.

The abovesaid legal heirs are entitled to inherit the estate of Late Smt Kela Devi and right to sue survies in favour as

well as against the abovesaid Lrs, who have been sought to impleaded as plaintiffs and as defendants. The description of the legal heirs, which the plaintiffs are seeking to be impleaded as plaintiffs and to be impleaded as defendants have been mentioned in the application, therefore, the abovesaid legal heirs of Late Smt Kela Devi, who are not earlier party in the present case, have been impleaded as party in the present case as per status mentioned in the application.

***Abovesaid application stands disposed off accordingly.
Amended memo of parites be filed before NDOH.***

Let summons of the suit for settlement of issues be issued to the defendant Smt Raj Bala, on filing of PF/RC. Steps be taken within 07 days.

Put up for awaiting service of defendant Smt Raj Bala on 09.03.2026.

(SHIV KUMAR)
DJ-02 (W)THC:Delhi
01.12.2025