

CS 374-24

Manjit Singh Vs. Rajinder Kaur

23.08.2024 at 11.43 a.m.

Present : Ms. Ashi Nigam, Ld. Counsel for the plaintiff.

Heard. Plaintiff perused.

As per the plaint, CS ADJ no. 175 of 2020 qua the same suit property, instituted by the plaintiff no. 2 against other legal heirs of Late Sh. Swaran Singh (including defendant no.1, herein) is pending adjudication before Ld District Judge – 03, NDD, PHC. It is also observed that alongwith the suit, the plaintiff has preferred application under Order XXXIX Rule 1 and 2 of CPC to restrain the defendants from creating third party interest in the suit property i.e. R-38 Inderpuri, Delhi 110012. Paragraph no. 8 of the plaint reveals that vide order dated 08.05.2023 on an application under Order XXXIX Rule 1 and 2 of CPC, Ld. District Judge – 03, NDD, PHC has already granted interim relief restraining the defendants (which would include defendant no.1) from creating third party interest in the suit property. Defendant no.1 would set up in her defence in CS no. ADJ 175/2020, the same documents which are under challenge in this suit. Therefore, it would be in the interest of smooth administration of justice that matter are tried by the same Court to avoid conflict of judgment.

Therefore, the file be placed before **Ld. Principal District and Sessions Judge, New Delhi District, Patiala House Courts** on 24.08.2024 at **02.00 p.m.** for appropriate order. Parties are directed to appear before Ld. Principal District and Sessions Judge, New Delhi District, Patiala House Courts, on aforesaid date and time.

File complete in all form be sent well in advance.

(Vijeta Singh Rawat)
District Judge – 01
PHC/New Delhi/23.08.2024_(k)