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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 247/2026**

VIR VIJAY KUMAR BHASKARPlaintiff
Through: **Mr. Dheeraj Sharma, Advocate.**

versus

ASHA BHASKAR AND ORSDefendants
Through:

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
25.03.2026

CS(OS) 247/2026

1. The plaint be registered as suit.
2. On filing of process fee, summons be issued to the defendants by all permissible modes.
3. The summons shall indicate that written statement must be filed within thirty days from the date of receipt of summons. The defendants shall also file an affidavit of admission/denial of the documents filed by the plaintiff, failing which the written statement shall not be taken on record.
4. The plaintiff is at liberty to file replication thereto within thirty days after filing of the written statement. The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by the defendants, failing which the replication shall not be taken on record.
5. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.



6. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.
7. List before the learned Joint Registrar for completion of service, pleadings, admission/denial of documents and marking of exhibits on 20.07.2026.
8. List before Court for framing of issues on the date to be assigned by learned Joint Registrar.

I.A. 7909/2026 (Application under Order XXXIX Rules 1 & 2 read with Section 151 CPC by the plaintiff)

9. Issue notice. Notice be served upon the defendants by all permissible modes.
10. The present suit has been filed praying for partition of the suit property bearing no. B-23, Greater Kailash Enclave-II New Delhi admeasuring 300 Sq. Yds. which was owned by Late Sh. Mool Chand who had expired on 31.08.1978 leaving behind his three sons and one daughter namely, (i) Sh. V.V.K. Bhaskar (plaintiff herein); (ii) Sh. J.K. Bhakar, (iii) Sh. H.O. Bhaskar and (iv) Smt. Sushila Sharma.
11. The property was mutated in the names of the said three sons, and a family settlement was executed amongst the legal heirs of Late Sh. Mool Chand whereby 200 Sq. Yds. out of total 500 Sq. Yds. was allotted to Smt. Sushila Sharma and remaining 300 Sq. Yds. continued to remain jointly owned by the three brothers.
12. Late Sh. J.K. Bhaskar executed a relinquishment deed dated 28.02.1994 *qua* his share in the suit property in favour of Sh. H.O. Bhaskar in respect of 300 Sq. Yds. portion.
13. After the demise of Late Sh. H.O. Bhaskar in 2018, defendants herein



being his legal heirs have stepped into his shoes.

14. It is stated that in December, 2025, defendants had represented to plaintiff that they intend to sell the entire suit property and will give the share of the plaintiff as per his entitlement. However, the said assurance was not acted upon. The plaintiff even gave a legal notice dated 14.01.2026 to the defendants which did not fetch any response. Hence the present suit has been filed by the plaintiff.

15. Mr. Dheeraj Sharma, learned counsel appearing on behalf of the plaintiff submits that his apprehension is that defendants may create third party interests in the suit property.

16. Having regard to the fact that plaintiff is one of the sons and Class-I legal heirs of Late Sh. Mool Chand, he would ordinarily have a share in the suit property. Therefore, I am of the view that the plaintiff has made out a *prima facie* case for grant of limited *ad interim* order of *status quo*. The balance of convenience is also in favour of an interim order of *status quo* being passed. I am satisfied that the plaintiff will suffer an irreparable loss and injury if third party interests are created in the suit property.

17. The parties are, therefore, directed to maintain *status quo* as to the title and possession of suit property, till the next date of hearing.

18. The defendants will be at liberty to apply for variation, vacation or modification of this order, if necessary.

19. Provisions of Order XXXIX Rule 3 CPC be complied with *qua* the defendants within a period of one week from today and affidavit of compliance be filed within a period of three days thereafter.

20. The defendants may file reply to the application within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks



thereafter.

21. List before the learned Joint Registrar for completion of service and pleadings on 20.07.2026.

22. List before Court on the date to be assigned by the learned Joint Registrar.

VIKAS MAHAJAN, J

MARCH 25, 2026/jg