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

+ **CS(OS) 221/2021**

GEETANJALI UPPAL & ORS. Plaintiff
Through **Mr.Arush Bhandari, Adv.**

versus

RAJIV CHABBRA & ANR. Defendant
Through

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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16.04.2021

This hearing is conducted through Video Conferencing.

IA Nos.5508/2021, 5509/2021

Exemption allowed, subject to all just exceptions. Application stands disposed of.

CS(COMM) 221/2021 & IA No.5511/2021

Plaint be registered as Suit.

Issue Summons in the suit and notice on the application to the defendants by Speed Post, Courier, Email, returnable on 24.08.2021.

IA No.5510/2021 (Order 39 Rule 1 & 2 CPC)

1. Issue notice to the defendants by Speed Post, Courier, email, returnable on 24.08.2021.
2. This application is under Order 39 Rule 1 & 2 CPC seeking an *ex parte* injunction to restrain defendants from creating third party rights in respect of property B-99, Greater Kailash, Part-I, New Delhi as well as bank



account, fixed deposit, jewellery, and other heirloom items etc. The case of the plaintiff is that Late Dr Harbans Lal Chhabra was married to Smt. Basanti Gulati. After the death of Smt. Basanti Gulati, Dr. Harbans Lal Chhabra married Smt. Shanti Devi and out of the wedlock defendants No.1, Defendant No. 2 and Smt. Saroj Uppal were born. Dr. Harbans Lal Chadha passed away in 1983. Thereafter, Smt. Shanti Devi passed away intestate in 1990. Hence, the entire estate of Smt. Shanti Devi devolved upon defendants and Smt. Saroj Uppal. That during the lifetime of Smt. Saroj Uppal, the parties were in joint possession of the estate of Smt. Shanti Devi. Subsequently, Smt. Saroj Uppal passed away on 14.10.2019. It is pleaded that after Smt. Saroj Uppal passed away, Defendant No 1 started threatening that he will sell, alienate and transfer the aforesaid property and other assets of Smt. Shanti Devi.

3. Learned counsel for the plaintiff pleads that despite a legal notice received by the Defendant No 1, he is not revealing details in regards to the movable asset which forms part of estate of Smt. Shanti Devi.

4. Plaintiff has made out a prima facie case. Balance of convenience is in favour of the plaintiff. Parties will maintain status quo regarding the immovable property B-99, Greater Kailash, Part -1, New Delhi till further orders.

5. Provisions of Order 39 Rule 3 CPC be complied with within five days from today.

JAYANT NATH, J.

APRIL 16, 2021

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