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

+ **CS(OS) 342/2023**

AKSHAY KUMAR JAIN

.....Plaintiff

Through: Mr. Rajeshwer K. Gupta and Ms.
Taanya Jivrajika, Advocate.

versus

SAROJ JAIN & ORS.

.....Defendants

Through: Mr. Siddharth Mittal and Mr. Sumit
Kumar Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

12.11.2025

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1. The matter is listed for framing of issues.
2. Based on the pleadings of the parties, the following issues are framed in the suit:
 - i. Whether this Court has the pecuniary jurisdiction to entertain the present suit? OPD
 - ii. Whether the Will dated 6th May, 2004, allegedly executed by Jagan Nath Jain, is valid and enforceable? OPP
 - iii. Whether the Family Settlement Deed dated 12th October, 1998, conclusively partitioned the property among the family members and extinguished any further claim by Jagan Nath Jain (plaintiff's grandfather) over the suit property? OPD
 - iv. Whether the Family Settlement Deed dated 12th October, 1998, which creates no new rights but records pre-existing rights among family members,



- requires compulsory registration under the Registration Act, 1908? OPD
- v. Whether the Family Settlement Deed dated 12th October, 1998 was conclusive and binding on the parties and whether the suit is thus non-maintainable? OPD
- vi. Whether the suit is bad for non-joinder of necessary parties? OPD
- vii. Whether the plaintiff is entitled to seek decree of possession, mesne profits, rendition of accounts and injunction as prayed in the plaint? OPP
- viii. Any other relief.
3. No other issue arises or is pressed for.
4. The parties shall file their respective list of witnesses within four (4) weeks from today.
5. The plaintiff shall file evidence of his witnesses by way of affidavits within four (4) weeks from today.
6. List before the Joint Registrar for fixing the dates of trial on 12th January, 2026.

AMIT BANSAL, J

NOVEMBER 12, 2025

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