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

+ **CS(OS) 224/2020 & I.A. 7226/2020**

MRS. RAJBALA SAIN AND ORS.

.....Plaintiffs

Through

Mr. Gaurav Goyal, Mr. Rohit Agrawl
and Mr. Akshit Goyal, Advs.

versus

MR. C.L. SAIN AND ORS.

.....Defendants

Through

Ms. Nidhi Mehrotra, Adv. for D-1.
Mr. Jatin Rajput, Adv. for D-2 to 6.
Mr. Lalit Ajmani, Adv. for D-9 and
D-10.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **11.12.2020**

[Court hearing convened via video-conferencing on account of COVID-19]

I.A. No. 11902/2020 [Filed by defendant no. 9 for modification of the order dated 24.08.2020] and I.A. No. 11903/2020 [Filed by defendant no. 10 for modification of the order dated 24.08.2020]

1. Mr. Lalit Ajmani, who appears for the applicants i.e. defendant nos. 9 and 10, says that the only modification which is sought in the order dated 24.08.2020, is that the applicants be allowed to execute a relinquishment deed whereby they would relinquish 1/6th share in the suit property in favour of defendant no. 1.
2. Issue notice to the non-applicants via all means including e-mail. The counsels, whose appearances have been recorded hereinabove, accept service.
3. Notice of the applications will be served not only on the plaintiffs but also on the other defendants as this is a suit for partition.

CS(OS) 224/2020

1/2



4. Reply(ies) will be filed within three weeks from today. Rejoinder(s) thereto will be filed before the next date of hearing.

5. List the application before the Joint Registrar (Judicial) on 28.01.2021.

6. List the application before Court on 05.04.2021.

I.A. No. 11901/2020 [Filed by defendant no. 1 under Order VII Rule 11 of the CPC] and I.A. No. 11906/2020 [Filed by defendant no. 1 seeking modification of the order dated 24.08.2020]

7. These are the applications filed on behalf of defendant no.1.

8. Issue notice to the non-applicants *via* all means including e-mail. The counsels, whose appearances have been recorded hereinabove, accept service.

9. Reply(ies) will be filed within three weeks from today. Rejoinder(s) thereto will be filed before the next date of hearing.

10. List the application before the Joint Registrar (Judicial) on 28.01.2021.

11. List the application before Court on 05.04.2021.

I.A. No. 9342/2020 [Filed on behalf of the plaintiffs under Order XXXIX Rule 2A read with Section 151 of the CPC]

12. Counsels for the defendants, who are appearing before me today, seek further time to reply(ies) to the captioned application.

13. It is their submission that they have not received a copy of the captioned application and, hence, the delay.

14. Reply(ies) will be filed within three weeks from today. Rejoinder(s) thereto will be filed before the next date of hearing.

CS(OS) 224/2020

2/3



15. List the application before the Joint Registrar (Judicial) on 28.01.2021.

16. List the application before Court on 05.04.2021.

CS(OS) 224/2020 & I.A. No. 7226/2020

17. List the matter before the Joint Registrar (Judicial) on 28.01.2021.

18. List the matter before Court on 05.04.2021.

19. Interim order dated 24.08.2020 will continue to operate in the meanwhile.

RAJIV SHAKDHER, J

DECEMBER 11, 2020

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CS(OS) 224/2020

Click here to check corrigendum, if any

2/2