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

+ **CS(OS) 234/2020, I.A. 37779/2024**

NAWABUDDIN

.....Plaintiff

Through: Ms. Shaziya, Adv. (Through VC)

versus

SALAHUDDIN & ANR.

.....Defendant

Through: Mr. Abhijit Mishra, Mr. Himanshu Tomar,
Adv. for Intervenor M. 8755440933.

CORAM:

JOINT REGISTRAR (JUDICIAL) SH. KISHOR KUMAR (DHJS)

ORDER

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21.05.2026

Matter is taken up through physical hearing as well as video conferencing.

I.A. 37779/2024 (u/O I Rule 10 r/w Sec. 21 CPC filed by Intervenor)

The present suit has been filed by the plaintiff against the defendant for partition, separate possession and injunction.

The present application has been filed by the applicant to become party to the present suit submitting that she is in possession of the suit property. The Applicant further states that she has also filed a civil suit bearing no. 822/2025 Sheeba vs. Union of India seeking declaration and injunction with respect to the suit property.

It is nowhere the case of the applicant /intervenor that she is one of the legal heirs of the person who owned the suit property and that her presence is necessary for the grant of relief of partition amongst the stake holders. The Applicant/Intervenor has already instituted the aforesaid suit before the Civil Court in her independent right which has nothing to do in the present case,



having been filed by the plaintiff against the defendants qua partition. In view of nature of the case and the facts and circumstances, the applicant is neither necessary nor a proforma party in the present case. The application lacking merits is hereby dismissed.

I.A. stands disposed off.

Be fixed for further proceedings on 25.09.2026.

**KISHOR KUMAR (DHJS)
JOINT REGISTRAR (JUDICIAL)**

MAY 21, 2026/SM