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

+ **CS(OS) 441/2023 and I.A. 29995/2024**

SH. SUBHASH CHANDRA JARODIA Plaintiff
Through: Mr Vikramjeet Singh Ranga,
Advocate along with Petitioner in
Person.

versus

SH. VIJAYINDER KUMAR & ORS. Defendants
Through: Mr. Ashutosh Nagar, Mr. Ishan
Harlalka and Mr. Kunal Taneja,
Advocates for D-1 (M:
9999666398).

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **21.05.2024**

1. This hearing has been done through hybrid mode.

I.A. 29995/2024 (u/O VII Rule 11 CPC) in CS(OS)-441/2023

2. The parties in the suit are siblings, and their father, late Shri Chander Bhan, passed away on 5th February, 2023. Shri Chander Bhan had executed the Gift Deed and the Will, transferring the property at '**M-111, Saket, New Delhi 110017**', to Defendant No. 1, his younger son. The Plaintiff has filed the present suit seeking to declare the registered Gift Deed dated 6th September, 2021 and a registered Will dated 26th July, 2017 as null and void.

3. This is an application under Order VII Rule 11 CPC, raising various grounds and challenging the maintainability of the present suit, including the fact that Court fee has not been deposited. The submission of ld. Counsel for



the Defendants *inter alia* is that the Plaintiff is seeking declaratory reliefs and, having valued the property located in Saket at Rs. 3 crores, has not paid the *ad valorem* Court fee.

4. Issue notice. Mr. Vikramjeet Singh Ranga, ld. Counsel accepts notice.
5. Let a reply be filed within four weeks. Rejoinder, if any, be filed within four weeks. Along with the reply, any judgments which the ld. Counsel for the Plaintiff wishes to rely upon, be also filed.
6. List before the Joint Registrar on 13th August, 2024, *i.e.* the date already fixed.
7. List before the Court for framing of issues on 21st August, 2024, *i.e.* the date already fixed.

PRATHIBA M. SINGH, J.

MAY 21, 2024
mr/dn