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

+ **CS(OS) 320/2025, I.A. 12765/2025 and I.A. 12766/2025**

NAVNITYA PARKASH GOYAL

.....Plaintiff

Through: Mr. Sanjeev Goyal and Ms. Shruti
Bansal, Advs.

versus

SWATI JAIN & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

20.05.2025

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1. Heard.
2. The plaint be registered as a suit. Summons be issued to the defendants by all permissible modes on filing of process fee. Affidavit of service be filed within two weeks.
3. Summons shall state that the written statement(s) shall be filed by the defendant within 30 days from the date of receipt of summons. Along with the written statement(s), the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.
4. Liberty is given to the plaintiff to file replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the plaintiff, affidavit(s) of admission/denial of documents of the defendant, be filed by the plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any

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documents, the same shall be sought and given within the timelines.

5. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

6. List before the concerned Joint Registrar for further proceedings on 08.09.2025.

7. Let the matter be listed before the Court on the date to be assigned by the concerned Joint Registrar, upon completion of the necessary proceedings.

I.A. 12765/2025 (under Order XXXIX Rules 1 and 2 read with Section 151 CPC for ad interim injunction) and

I.A. 12766/2025 (under Order XL Rule 1 read with Section 94(d) of the CPC, 1908 for appointment of receiver to take custody of the suit property)

8. Heard.

9. On plaintiff taking necessary steps, let notice on these applications be issued to the defendants by all permissible modes, returnable on 10.07.2025.

10. Mr. Sanjeev Goyal, learned counsel for the plaintiff submits that in the meantime, the respondents be restrained from creating any third-party rights.

11. However, under the facts of the present case, the Court, at this stage, only observes that any third-party rights, if created by defendants, shall remain subject to the outcome of the instant civil suit.

12. Needless to state, in any case, the rights of the plaintiffs are protected in view of the provisions of Section 52 of the Transfer of Property Act, 1882.

PURUSHAINDRA KUMAR KAURAV, J

MAY 20, 2025/DPA/MJ

Click here to check corrigendum, if any

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