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

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

NAVNITYA PARKASH GOYALPlaintiff

Through: Mr. Sanjeev Goyal with Mr. Anand Sen and Mr.Ashutosh, Advocates.

versus

SWATI JAIN & ORS.Defendants

Through: Mr. Rishi Kapoor with Mr. Ankur Sudan and Mr. Sachin, Advocates for D1 and D2.

Mr. Anupam Singh with Mr. S. Mishra, Advocates for D3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **21.08.2025**

1. The defendant nos.1 and 2 in their reply to I.A. 12766/2025 has taken the following broad position:-

“7. That the Defendant No.1 have not attempted to alienate, transfer, or create third-party rights in the suit property after the both aforesaid Agreement dated 14.02.2024. That the plaintiffs apprehension of such actions is speculative and lacks evidence. That it is hereby submitted that the Defendant No.1 and 2 are committed to maintaining the status quo of the suit property pending the adjudication of the main suit.

8. That, as admitted by the plaintiff in the plaint, the suit property is under a loan from Axis Bank and Tata capital Housing Finance Ltd., and therefore, the first charge over the property lies with the banks, further securing the property against any unauthorized alienation or mismanagement.”

2. On the contrary, learned counsel, who appears for the bank, submits that the property in question is actually under a mortgage with the concerned



bank.

3. Let a copy of the reply be furnished to him.
4. He shall be at liberty to file the objection thereto.
5. The same is, however, without prejudice to the rights and contentions of the plaintiff.
6. List on 16.10.2025 for consideration of pending IAs.

PURUSHAINdra KUMAR KAURAV, J

AUGUST 21, 2025

tr/sp