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

+ **CS(OS) 543/2022 and I.A. 14622/2022 (U/S 151 CPC)**

SANTOSH VATS & ANR. Plaintiffs
Through: **Mr. Vishal, Advocate.**

versus

SUDHIR VATS & ORS. Defendants
Through: **None.**

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **08.09.2022**

I.A. 14621/2022 (Exemption) & I.A. 14622/2022 (for placing reliance on true typed copies)

1. Subject to the plaintiffs filing the original/certified and true typed copies of any documents on which the plaintiff may seek to place reliance, within four weeks from today, exemption is granted for the present.
2. The applications are disposed of.

CS(OS) 543/2022

3. Let the plaint be registered as a suit.
4. Issue summons to the defendants through all modes. The summons shall indicate that the written statement(s) shall be filed within thirty days from the receipt of summons. Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiffs.



5. Liberty is given to the plaintiffs to file replication(s), if any, within thirty days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiffs, affidavit of admission/denial of the documents of the defendants be filed by the plaintiffs.
6. List before the Joint Registrar on 21st November, 2022 for completion of service and pleadings.
7. List before the Court on 8th March, 2023.

I.A. 14620/2022 (O-XXXIX R-1 & 2 of CPC)

8. The present suit has been filed seeking relief of partition and other ancillary reliefs in respect of the movable and immovable properties described in paragraph 14 of the plaint. The aforesaid properties belong to the father-in-law and mother-in-law of the plaintiff no.1. The mother-in-law expired *intestate* on 28th April, 2017 and the father-in-law expired *intestate* on 10th May, 2017. The husband of the plaintiff no.1 had expired in a road accident on 18th September, 2006. The defendants are the siblings of the late husband of the plaintiff no.1.
9. A legal notice dated 21st March, 2022 was sent on behalf of the plaintiffs to the defendants seeking partition of the suit properties, however, no response has been received thereto.
10. Issue notice.
11. Notice be issued to the defendants through all modes.
12. Reply(ies) be filed within four weeks.
13. Rejoinder(s) thereto, if any, be filed within two weeks thereafter.
14. A *prima facie* case is made out on behalf of the plaintiffs. Consequently, till the next date of hearing, status quo with regard to title and possession shall be maintained by the parties in respect of the properties



detailed in paragraph 14 of the plaint.

15. Compliance under Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 (CPC) be done within three days.

16. List before the Court on 8th March, 2023.

AMIT BANSAL, J

SEPTEMBER 8, 2022

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