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

+ **CS(OS) 358/2025 & I.A. 13676/2025**

SANTOSH DEVI

.....Plaintiff

Through: **Mr. Sachidanand Chaturvedi, Adv.**

versus

YOGESH KUMAR GUPTA & ANR.Defendants

Through: **Mr. Saurav Bhashin, Adv. (through
vc)**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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28.05.2025

CS(OS) 358/2025

1. The present suit has been filed for partition, possession of separate share and permanent injunction *qua* the land falling in Khasra No. 26//22/3(2-5), total measuring Two Bighas Five Biswas, situated in Village-Jindpur, Delhi ['suit land'].
2. The plaint be registered as a suit. Issue summons.
3. Mr. Saurav Bhashin, learned counsel enters appearance on behalf of defendant nos. 1 and 2. He accepts summons and waives the right of formal service of summons. He confirms that he has the entire suit paper-book.
4. The written statement(s) must be filed within thirty (30) days from the date of receipt of summons. The defendants shall also file affidavit(s) of admission/denial of the documents filed by the plaintiff, failing which the written statement(s) shall not be taken on record.



5. The plaintiff is at liberty to file replication thereto within thirty (30) days after filing of the written statement(s). The replication shall be accompanied by affidavit of admission/denial in respect of the documents filed by the defendants, failing which the replication shall not be taken on record.
6. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
7. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.
8. List before the learned Joint Registrar (J) for completion of pleadings on **07.08.2025**.
9. List before the Court on **30.10.2025**.

I.A. 13676/2025

10. This is an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 filed by the plaintiff seeking an ad-interim ex-parte injunction against the defendants, thereby restraining the defendants from creating third-party rights and from interfering plaintiff's possession in the suit property.
11. Learned counsel for the plaintiff states that the plaintiff is the title holder of the area of 1 Bigha 2 Biswas in the suit land. He states that the plaintiff is also in possession of 1 Bigha 2 Biswas and he refers to the site plan filed with the paper book suit as well as the *khatauni* for the year 2003-04.
12. In reply, learned counsel for the defendants' states that whereas, the defendants do not dispute the title of the plaintiff in the suit property; he however, disputes the site map filed with the plaint. He seeks liberty to place



on record his stand in pleadings with respect to possession of the suit land.

13. In response, learned counsel for the plaintiff states at this stage, he would be satisfied if the parties are directed to maintain status quo *qua* the title of the suit property. He states that the issue *qua* possession can be decided by the Court after the pleadings are complete.

14. In view of the documents placed on record and the submissions of the parties, the parties are directed to maintain status quo *qua* title of the suit property.

15. Issue notice. Learned counsel for defendant nos. 1 and 2 accepts notice. Reply be filed within four (4) weeks. Rejoinder thereto, if any, be filed within four (4) weeks thereafter.

16. The parties may also take instructions for reference to mediation before the next date of hearing.

17. List before the learned Joint Registrar (J) for completion of pleadings on **07.08.2025**.

18. List before the Court on **30.10.2025**.

19. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MAY 28, 2025/msh/MG

MANMEET PRITAM SINGH ARORA, J

[Click here to check corrigendum, if any](#)