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

+ **CS(OS) 574/2022**

SIMRAN KANWAR

..... Plaintiff

Through: Mr.Karan Nagrath, Ms.Niharika Nagrath, Ms.Uditi Khatter, Mr.Vipul Pankaj Shanghi and Mr.B.P. Sharma, Advocates.

versus

ONKAR SINGH MARWAH & ORS.

..... Defendants

Through: Mr.Joy Basu, Sr.Advocate, Mr.Varun Sarin, Mr.Kanak Bose, Ms.Aparna Iyer and Ms.Parul Dutta, Advocates for D-1.

Mr.YP Narula Sr. Advocate with Mr.Abhey Narula, Advocate for D-4

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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15.09.2022

I.A. 15125/2022 (for exemption)

1. Subject to the plaintiff filing the original/certified/fair/typed/legible copies/copies with proper margin 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 application is disposed of.

CS(OS) 574/2022

3. Let the plaint be registered as a suit.

4. Revised memo of parties has been filed today. Let the same be taken



on record.

5. Issue summons in the suit. Summons are accepted by the counsels appearing on behalf of the defendants no.1 and 4.
6. Summons be issued to the remaining defendants through all modes.
7. 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 plaintiff.
8. Liberty is given to the plaintiff 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 plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.
9. Counsel for the plaintiff submits that there are some typographical errors in the memo of parties filed by the plaintiff.
10. List before the Joint Registrar on 16th November, 2022 along with CS(OS) 509/2022 for completion of service and pleadings.
11. List before the Court on 12th January, 2023 along with CS(OS) 509/2022.

I.A. 15124/2022 (O-XXXIX R-1 & 2 of CPC)

12. The present suit has been filed by the plaintiff, who is the niece of late Ms. Mala Marwah, seeking partition of her estate. The plaintiff claims to be a beneficiary under a registered Will dated 2nd August, 2019 executed by Ms. Mala Marwah.
13. A similar suit, being CS(OS) 509/2022, has been filed by the defendant no.4 seeking partition of the estate of late Ms. Mala Marwah. In the said suit, this Court has passed a detailed order on 31st August, 2022, *inter alia*, directing (i) the parties to maintain status quo in respect of the property bearing no.31, Hanuman



Road, New Delhi (suit property); (ii) the defendants to disclose details of bank accounts of late Ms. Mala Marwah; and, (iii) the defendants to give details of the fixed deposits of late Ms. Mala Marwah encashed by them after the death of Ms. Mala Marwah.

14. Issue notice.

15. Notice is accepted by the counsels appearing on behalf of the defendants no. 1 and 4.

16. Notice be issued to the remaining defendants through all modes.

17. Reply(ies) be filed within four weeks.

18. Rejoinder thereto, if any, be filed within two weeks thereafter.

19. Parties are directed to maintain status quo in respect of the suit property till the next date of hearing.

20. List before the Court on 12th January, 2023.

I.A. 15123/2022 (O-XI R-1 of CPC)

21. This is an application for delivery of interrogatories to the defendants.

22. Issue notice.

23. Notice is accepted by the counsels appearing on behalf of the defendants no.1 and 4.

24. Notice be issued to the remaining defendants through all modes.

25. Defendant no.8, Canara Bank, along with its reply, shall file the statement of account of the accounts held by late Ms. Mala Marwah in the said bank from 1st April, 2019 till date.

26. List on 12th January, 2023.

AMIT BANSAL, J.

SEPTEMBER 15, 2022

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