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

+ CS(OS) 583/2022 & I.As. 15337/2022, 15338/2022,
15339/2022

DAKSH RANA (MINOR) THROUGH HIS
MOTHER

..... Plaintiff

Through: Mr. Sanjay Rathi, Mr. Ashish
Khatri, Mr. Vikram Tokas, Mr.
Deepak Khatri, Mr. Nikhil
Singh, Mr. Bhanu Pratap Singh,
Advocates (M:9910102758)

versus

BHUPINDER RANA & ORS.

..... Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **19.09.2022**

I.A. 15339/2022 (u/S 151 CPC)

1. This is an application under Section 151 of CPC on behalf of the plaintiff for seeking exemption from filing typed/certified/true typed/legible documents.
2. Allowed, subject to just exceptions.
3. Application is disposed of.

I.A. 15338/2022 (u/O XXXII Rule 1 read with Section 151 of CPC)

4. This is an application under Order XXXII Rule 1 read with Section 151 CPC on behalf of the plaintiff, for appointment of Smt. Mausam, mother of the minor plaintiff for appointment as his guardian/next friend/guardian ad-litem in the present suit.



5. Considering that the present suit has been filed by a minor who is 15 years of age presently, his mother Smt. Mausam being the natural guardian is appointed as guardian/next friend of the plaintiff to represent him in the present suit.

6. Application is disposed of accordingly.

CS(OS) 583/2022

7. There is an office objection by the Registry that the jurisdictional value of the property has not been done properly and further that ad-valorem court fee has not been paid. Registry is directed to place the report in this regard before this Court before the next date of hearing.

8. Let the plaint be registered as a suit.

9. Issue summons to the defendants through all modes upon filing of process fee.

10. The summons to the defendants shall indicate that a written statement to the plaint shall be positively filed within 30 days from the date of receipt of summons. Along with the written statement, the defendants shall also file an affidavit of admission/denial of the documents of the plaintiff, without which the written statement shall not be taken on record.

11. Liberty is given to the plaintiff to file a replication within 15 days of receipt of the written statement. Along with the replication, if any, filed by the plaintiff, an affidavit of admission/denial of the documents of the defendants, be filed by the plaintiff, without which the replication shall not be taken on record.

12. List before the Joint Registrar for marking of exhibits on 20th,



October, 2022.

13. List before this Court on 03.11.2022.

I.A. 15337/2022 (u/O XXXIX Rule 1 & 2 read with Section 151 CPC)

14. This is an application under Order XXXIX Rule 1 & 2 read with Section 151 CPC. By way of the present application, the following reliefs have been prayed:

“(a) Pass an ex-parte ad-interim injunction order in favour of plaintiff and restraining the Defendants, their legal heirs, attorneys, assignees, family members, servants, administrators, agents and/or anyone else, on their behalf from transferring, alienating, creating any third party right, title and interest, mortgaging, raising any further construction and/or in any other manner in respect to the suit properties, till final disposal of the accompanying suit; and

(b) Pass and allow any such other relief(s)/order(s)/decree/ directions which this Hon'ble High Court may deem fit and appropriate in the circumstances of the case in favour of the Plaintiff and against the Defendants.”

15. Issue notice to the defendants by all modes.

16. Let reply be filed within two weeks. Rejoinder thereto, if any, be filed within one week thereafter.

17. List before the Joint Registrar for completion of pleadings on 20.10.2022.



18. List before the court on 03.11.2022.

SEPTEMBER 19, 2022

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MINI PUSHKARNA, J