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

+ **CS(OS) 434/2025 & I.A. 16109/2025**

SH. ASHAN

.....Plaintiff

Through: Mr. Tarun Shokeen, Adv. (through
vc)

versus

SMT. SANTOSH NARANG & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **11.07.2025**

CS(OS) 434/2025

1. This is a suit filed for partition and permanent injunction with respect to the estates of late Sh. Hans Raj Narang.
2. It is observed that, the plaintiff has failed to specify the basis of the pecuniary jurisdiction pleaded at paragraph 14 of the plaint. The plaintiff is directed to file an additional affidavit setting out separate valuation for each suit property within a period of four (4) weeks.
3. In addition, it is observed in the suit while the plaintiff has sought a share in the capital balance of Rs. 1.35 crores, he has failed to pay the ad-valorem court fee on the claim of 1/4th share.
4. Learned counsel for the plaintiff states that the ad-valorem court fee for the 1/4th share claim in Rs. 1.35 crores will be deposited within four (4) weeks.
5. The plaint be registered as a suit.
6. Subject to the plaintiff filing the additional affidavit as well as



depositing the court fee within four (4) weeks, summons be issued to the defendants by all permissible modes. Affidavit of service be filed within two (2) weeks.

7. The summons shall indicate that the written statement(s) must be filed within thirty (30) days from the date of receipt of the summons. In the written statement the defendants are directed to make a full disclosure of the estate of late Sh. Hans Raj Narang (moveable and immoveable) along with documents in support thereof.

The defendants shall also file affidavits of admission/denial of the documents filed by the plaintiff, failing which the written statement(s) shall not be taken on record.

8. 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.

9. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

10. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

11. The defendants are directed to make a full discovery of the estate of late Sh. Hans Raj Narang in their pleadings and place on record all the documents pertaining to the estate of late. Sh. Hans Raj Narang.

12. List before the learned Joint Registrar (J) on **13.08.2025**.

13. List before the Court on **28.11.2025**.

I.A. 16109/2025 (application under Order XXXIX Rules 1 & 2 read with



Section 151 C.P.C. on behalf of plaintiff)

14. This is an application filed by the plaintiff under Order XXXIX Rules 1 and 2 CPC seeking a restraint against the defendants. The assets in respect whereof partition is sought, is set out at paragraph 3 of the plaint.
15. Learned counsel for the plaintiff states that since the plaintiff is a resident of Canada, all documents and details pertaining to the assets are in the custody of the defendants.
16. He states that this application be taken up after replies have been filed and documents have been produced by the defendants.
17. Issue notice to the defendants through all modes. Reply be filed within four (4) weeks. Rejoinder thereto, if any, be filed within four (4) weeks.
18. List before the learned Joint Registrar (J) on **13.08.2025**.
19. List before the Court on **28.11.2025**.

MANMEET PRITAM SINGH ARORA, J

JULY 11, 2025/msh/AM