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

+ CS(OS) 51/2022, I. A. 1605/2022 (of the plaintiffs under Order XXXIX Rules 1 & 2 CPC seeking inter alia ex-parte and interim orders/directions)

CHITRA KHURANA & ANR. Plaintiffs

Through: Ms. Nina R. Nariman with Ms.
Geetika Kapur, Advocates

versus

VEERESH MALIK Defendant

Through: Mr. Arvind Bhatt, Ms. Ritika
Choubey & Ms. Swastika Singh,
Advocates

CORAM:
HON'BLE MS. JUSTICE ASHA MENON

ORDER
% **31.01.2022**

[VIA VIDEO CONFERENCING]

I. A. 1606/2022 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CS(OS) 51/2022, I. A. 1605/2022 (of the plaintiffs under Order XXXIX Rules 1 & 2 CPC seeking inter alia ex-parte and interim orders/directions)

3. The plaint be registered as a suit.
4. This is a suit for partition, possession, rendition of accounts and permanent injunction in respect of the property bearing No. D-61, Defence Colony, New Delhi – 110024 (hereinafter referred to as the



‘suit property’).

5. Issue summons in the suit and notice in the application to the defendant.

6. Mr. Arvind Bhatt, Advocate accepts summons in the suit and notice in the application on behalf of the defendant and seeks time to file written statement and reply.

7. The written statement to the suit and reply to the application be filed by the defendant within thirty days alongwith the affidavit of admission/denial of the documents filed by the plaintiffs with advance copies to the plaintiffs, who may file replication, accompanied by the affidavit of admission/denial in respect of the documents filed by the defendant and rejoinder within thirty days thereafter, with advance copies to the opposite side.

8. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the time lines.

9. Ms. Nina R. Nariman, learned counsel for the plaintiffs, submits that the plaintiffs are also in possession of the ground floor of the suit property, which is disputed by the learned counsel for the defendant.

10. Since the plaintiff no. 1 and the defendant are siblings, and plaintiff no. 2 is their niece, and the partition is sought in respect of the suit property which belonged to the late father of the plaintiff No.1 and the defendant, till the next date of hearing, the parties are directed to maintain *status quo* with regard to the title and possession of the suit property bearing No. D-61, Defence Colony, New Delhi – 110024.

11. At this stage, on request made by learned counsel for the plaintiffs, the parties are referred to mediation to enable them to work out an amicable settlement. Accordingly, the parties are directed to appear before the Secretary, Delhi High Court Mediation and Conciliation Centre through video conferencing on 3rd February, 2022 at



3:00 PM for assignment of a Mediator.

12. List before the Joint Registrar on 26th April, 2022, for completion of pleadings.

13. The order be uploaded on the website forthwith.

ASHA MENON, J

JANUARY 31, 2022

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