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

+ **CS(OS) 148/2022**

PARMOD KUMAR DANG & ORS. Plaintiffs

Through: Mr. Jayant Mehta, Senior Advocate
with Mr. Aditya Wadhwa, Mr.
Siddharth Sunil, Ms. Shagun
Bhargava & Mr. P.D.V. Srikar,
Advocates.

versus

VINOD KUMAR DANG Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% 11.03.2022

IA No.3992/2022(for exemption)

1. Subject to the plaintiffs filing the original and certified copies of the documents on which the plaintiffs may seek to place reliance within four weeks from today, exemption is granted for the present.

2. The application is disposed of.

IA No.3993/2022(for filing lengthy list of dates)

3. For the reasons stated in the application, the same is allowed.

IA No.3994/2022(u/S.149 of CPC)

4. Counsel for the plaintiffs undertakes to deposit the deficient Court fees.

5. Let the same be deposited within four weeks.

6. The application is disposed of in the above terms.

IA No.3995/2022(for condonation of delay of 28 days in refiling suit)



7. For the reasons stated in the application, the delay is condoned.

8. The application is allowed.

CS(OS) 148/2022

9. Let the plaint be registered as a suit.

10. Issue summons in the suit through all modes.

11. The written statement shall be filed by the defendant within thirty days from the date of the receipt of summons. Along with the written statement, the defendant shall also file an affidavit of admission/denial of the documents of the plaintiffs.

12. Liberty is given to the plaintiffs to file replication(s), if any, within fifteen days from the receipt of the written statement. Along with the replication(s) filed by the plaintiffs, an affidavit of admission/denial of the documents of the defendant, be filed by the plaintiffs.

13. List on 28th April, 2022.

IA No.3991/2022(u/O.XXXIX R.1&2 of CPC)

14. The present suit has been filed seeking reliefs of recovery, declaration, possession and permanent injunction in respect of various properties of the plaintiffs.

15. It is averred in the plaint that out of the various properties, original documents in respect of four properties being (i) Khasra No. 259/25, 260/25, 261/25, 262/25 in Village Saidullajab, Tehsil Mehrauli, New Delhi; (ii) Khasra No. 635, Neb Sarai, Tehsil Hauz Khas, Mehrauli, New Delhi; (iii) Khasra No. 517, Village Khanpur, Tehsil Hauz Khas, New Delhi; and (iv) D-285, Krishna Park (Khasra No. 598/2, Village Khanpur, Tehsil Hauz Khas, Mehrauli, New Delhi were given to the defendant only as securities. The plaintiffs continue to be in occupation of the said properties. The



plaintiffs apprehend that the defendant may create third party rights in respect of the aforesaid four properties.

16. In my view, *prima facie* case has been made out in favour of the plaintiffs for the grant of *ex parte* ad interim injunction.

17. Issue Notice.

18. Notice be issued to the non-applicant/defendant through all modes.

19. Reply be filed within four weeks from the receipt of the notice.

20. Rejoinder(s) thereto, if any, be filed within two weeks thereafter.

21. Consequently, till the next date of hearing *status quo* shall be maintained in respect of the title and possession of the aforesaid four properties.

22. Compliance under Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 (CPC) be done within three days from today.

23. List on 28th April, 2022.

AMIT BANSAL, J

MARCH 11, 20220

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