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

+ **CS(OS) 744/2022**

SHRI GAUTAM MEHLAWAT & ORS. Plaintiffs

Through: **Mr. Deepak Dahiya, Adv.**

versus

MAMAN SINGH & ORS.

..... Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **29.11.2022**

IA No.19969/2022 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

IA No.19970/2022 (condonation of delay)

1. By way of the present application, the respondents seek condonation of delay of 27 days in re-filing the present suit.
2. For the reasons stated in the instant application, which is duly supported by an affidavit, the application is allowed.
3. Delay in re-filing the present suit is condoned. The present suit is taken on record.
4. Accordingly, the present application stands disposed of.

CS(OS) 744/2022

1. By way of the present suit, the plaintiffs who are stated to be the descendants of late Sh. Ram Dhan, claim to have 1/3rd share in the ancestral land, along with the defendants, falling in Khasra Nos. 6//25 (2-6), 7//21 (0-



16), 9//1 (4-16), 9//2 (1-12), 9//9 (3-0), 9//12/1 (4-16), 10//5 (4-16), 140 (1-14), total admeasuring 476 biswas equivalent to 23.16 bigha equivalent to 4.95818 acres, in the revenue estate of the urbanized village Kishangarh, Tehsil Mehrauli, New Delhi-110070.

2. Upon a conspectus of the averments contained in the plaint and documents filed in the instant petition, let summons be issued to the defendants through all permissible modes. Let the summons indicate that the defendants are required to file their respective written statement to the plaint within 30 days from the date of receipt of summons, alongwith affidavit of admission/denial of the documents filed by the plaintiffs. The plaintiffs may file replication to the written statements within 30 days thereafter, alongwith affidavit of admission/denial of the documents filed by defendants.

3. List before the Joint Registrar for completion of pleadings, for admission/denial of documents and marking of exhibits on 25.01.2023.

4. List before court on 24.03.2023.

IA No.19968/2022 (ad-interim injunction)

1. Issue notice.

2. Upon the plaintiffs taking steps, let notice be sent to the defendants, through all permissible modes, returnable on 24.03.2023.

3. Let reply be filed within a period of six weeks from today. Rejoinder thereto, if any, be filed within a period of four weeks thereafter, with copies to the opposite counsel.

4. List before the Joint Registrar on 25.01.2023.

5. List before court on 24.03.2023.

SACHIN DATTA, J

NOVEMBER 29, 2022/cl