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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 593/2024**
VIJAY KUMAR GOEL

.....Plaintiff

Through: Mr.Akshay Srivastava &
Mr.Alankrit Bhatnagar, Advs.

versus

NARENDER KUMAR GOEL & ORS.

.....Defendants

Through: Nemo.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.07.2024**

I.A. 34805/2024 (Exemption)

1. Allowed, subject to all just exceptions.

I.A. 34808/2024

2. The learned counsel for the plaintiff prays for leave to withdraw the present application with liberty to file afresh in case the need to do so arises in the future.

3. The application is dismissed as withdrawn, with liberty as prayed for.

CS(OS) 593/2024, I.A. 34806/2024 & 34807/2024

1. Issue summons in the Suit/notice on the application to the defendants, to be served through all permissible modes, including through electronic mode and *dasti* as well, returnable on 18th October, 2024 before the learned Joint Registrar (Judicial).

2. Written Statement(s)/reply(ies) to the application to be filed



within the prescribed period. Replication/rejoinder thereto, if any, is to be filed within a period of 15 days thereafter.

3. The Written Statement(s) and the Replication, if any, shall be accompanied by the affidavit of admission/denial of the documents, filed by other party, without which the same shall not be taken on record.

4. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

5. By the present Suit, the plaintiff *inter alia* prays for a Decree of Partition of the properties left behind by his father, namely, late Shri Hari Ram Goel. The plaintiff claims that by a registered Will dated 20.07.2010, his father had bequeathed the suit property in favour of the step-mother of the plaintiff, that is, late Smt. Sudesh Goel, creating a life interest in the said property in her favour. It was stipulated that on the death of late Smt. Sudesh Goel, the property shall devolve upon the children, that is, the plaintiff and the defendants in an equal ratio.

6. Keeping in view the averments made in the Plaint and having heard the learned counsel for the plaintiff, I am of the opinion that the plaintiff has been able to make out a good *prima facie* case in his favour. The balance of convenience is also in favour of the plaintiff and against the defendants. The plaintiff is likely to suffer grave irreparable loss in case an ex parte *ad interim* injunction is not granted in his favour. The interest of justice would demand that the *status quo* with respect to the suit property is maintained.

7. It is accordingly directed that the parties shall maintain the *status quo* with respect to the suit property till further orders.



8. Compliance with Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, be made within one week from today.

NAVIN CHAWLA, J

JULY 30, 2024/rv/SJ

Click here to check corrigendum, if any