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

+ **CS(OS) 758/2022**

PARUL AGGARWAL AND ANRPlaintiffs

Through: Ms. Stuti Gupta, Advocate

versus

ASHOK AGGARWAL AND ORSDefendants

Through: Mr. Anoop Raj, Advocate for D-1 &
D-2 (Through VC)

Mr. Sumit Kr. Mishra, Advocate for
D-3 & D-4

Mr. Dinesh Kothari and Mr. B. S.
Randhawa, Advocates for I.A. No.
31576/2024

Mr. Kirtiman Singh, CGSC with Mr.
Waize Ali Noor, Advocate for UOI

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **16.07.2024**

I.A. No. 31576/2024 (under Order I Rule 10 CPC)

1. This is an application filed by Mr. Rishi Iqbal and Mrs. Naina Maheshwari seeking impleadment.

2. Learned counsel for the applicants states that the applicants are bona fide purchaser for valuable consideration of the property bearing no. 9, Vikram Vihar Extension, Lajpat Nagar, New Delhi ('subject property'). He states that the entire sale consideration of Rs. 49 lacs stood paid to the vendors (i.e., defendant nos. 1 and 2) on 09.02.2024 much prior to the passing of the interim order dated 01.03.2024.

2.1. He states that in view of the fact that the property already stood sold



to the applicants herein on 09.02.2024, the defendant nos. 1 and 2 were left with no right, title and interest in the suit property and therefore, the interim order dated 01.03.2024 ought not to have been passed.

2.2. He states that however, the sale deed has not been released by the Ld. sub-Registrar in view of the order dated 01.03.2024.

3. In response, learned counsel for the plaintiffs states that she has no objection to their impleadment though she states that these applicants otherwise have no relation to the cause of action in the present suit, which is with respect to defamation and damages.

4. Accordingly, the application stands allowed and the applicants are impleaded as defendant nos. 7 and 8. The plaintiff is directed to file the amended memo of parties within two (2) weeks.

5. In view of the facts noted hereinabove, the concerned sub-Registrar-V(1), sub-division, Defence Colony is directed to release the title deed dated 09.02.2024 presented in its office vide receipt no. 1229 to the applicants/vendees herein.

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6. Learned counsel for defendant nos. 1 and 2 states that he has filed his reply to I.A. No. 5061/2024. He is directed to have the same placed on record and re-serve a copy of the reply on the counsel for the plaintiff.

7. The I.A. No. 5061/2024 shall be taken up for consideration on the next date of hearing.

8. The interim orders to continue until the next date of hearing.

9. Learned counsel for the plaintiff states that she will provide the necessary details to defendant nos. 3 and 4 for remittance of cost within three (3) days.



10. List the matter before the Joint Registrar (Judicial) on 20.08.2024 for completion of pleadings.
11. List the matter before the Court on 21.10.2024.
12. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

JULY 16, 2024/rhc/sk