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

+ **CS(OS) 658/2019**

SMT. PRITHA JAIN Plaintiff

Represented by: **Mr.S.C. Singhal, Advocate.**

versus

SHRI DINESH JAIN & ORS. Defendants

Represented by: **None.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

% **18.12.2019**

I.A. 17952/2019 (exemption)

1. Allowed, subject to all just exceptions.
2. Original documents, if any, be filed within 30 days.
3. Application is disposed of.

CS(OS) 658/2019 & I.A. 17951/2019 (under Order XXXIX Rule 1 and 2 CPC)

1. Complaint be registered as a suit.
2. Issue summons in the suit and notice in the application to the defendants on the plaintiff taking steps through ordinary and dasti process, registered AD and post returnable on 23rd January, 2020 before the learned Joint Registrar for completion of service, pleadings and admission/denial of documents.

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3. Summons to the defendants shall indicate that the written statement to the plaint shall be positively filed within 30 days of the receipt of the summons. Liberty is given to the plaintiff to file the replication within three weeks of the receipt of the advance copy of the written statement.
4. Admission/ denial of documents shall be filed on affidavit by the parties along with the pleadings.
5. List the suit and application before Court on 18th March, 2020.
6. Plaintiff is the daughter of late Shri Chand and defendant No.3, but given in adoption to late Puran Chand, brother of late Shri Chand. The suit property, that is, 47, Veer Nagar, Gur Mandi, G.T. Road, Delhi-110007 constructed on a plot admeasuring 300 sq.yards was allotted to Shri Chand and Puran Chand and thus the plaintiff seeks partition of the suit property being the only legal heir of late Puran Chand. Defendants are the sons and widow of late Shri Chand.
7. Considering the averments in the plaint and the necessity to preserve the suit property, parties are directed to maintain status quo as to the possession and title of the suit property till the next date before the Court.
8. Compliance under Order XXXIX Rule 3 CPC be made within one week.
9. Order dasti.

MUKTA GUPTA, J.

DECEMBER 18, 2019
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