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

+ **CS(OS) 663/2024**

ARVINDER SINGH BAINS

.....Plaintiff

Through: Mr. Rohit Nagpal, Mr. Jaspreet S. Rai, Mr. B.S. Rai, Mr. H. Rai, Mr. Sahin Sharma, Ms. Vasudha Gupta, Mr. Sukhdeep Kumar, Mr. Harsimran Rai and Mr. A. Singh Advocates.

versus

INDERPAL SINGH BAINS & ANR.

.....Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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22.08.2024

1. This is a suit filed by the plaintiff seeking partition of the estate of his father late Sh. Manjit Singh Bains, who is stated to have died on 29.11.2023.
2. The suit has been filed for the partition of movable as well as immovable estate of late Sh. Manjit Singh Bains. However, the prayers in the plaint do not contain any prayer with respect to the movable estate and even the valuation clause does not affix any valuation for the movable estate.
3. Learned counsel for the plaintiff states that the prayer and the valuation for the movable estate was left out inadvertently, though substantive averments for seeking partition of the movable estate have been set out in the plaint. He states that he will file an application for formal



amendment of the plaint to include the necessary averments and relief within a period of two weeks.

4. At request, adjourned to 04.10.2024.

I.A. No. 37081/2024 (application under Section 151 CPC seeking exemption from filing apostille certificate).

5. This is an application filed by the plaintiff seeking exemption from filing apostille certificate. Learned counsel for the plaintiff states that prayers in the application have become infructuous as all apostille certificates have since been filed. The application is accordingly disposed of as being infructuous.

I.A. No. 37079/2024 (application under Section 151 CPC seeking exemption from filing certified copies of orders and documents and dim annexures).

6. Subject to the plaintiff filing the certified copies of the documents and clear and legible copies of any dim documents sought to be relied upon within four weeks from today, exemption is granted.

7. The application stands disposed of.

I.A. No. 37078/2024 (application under Section 151 CPC seeking exemption from serving prior notice to the defendants).

8. This is an application filed by the plaintiff seeking exemption from issuing prior notice to the defendants.

9. Learned counsel for the plaintiff states that he will take steps for serving an advance copy of the proposed amended plaint alongwith documents filed in the present suit, as well as a copy of this order on the defendants within a period of two weeks.

10. With the aforesaid directions, present application is disposed of.



CS(OS) 663/2024 & I.A. Nos. 37077/2024 (application under Order XXXIX Rules 1 and 2 CPC) and 37080/2024 (application under Order XI Rule 12 CPC for discovery and inspection of the original documents of suit property in custody of defendants.

11. List on 04.10.2024.

MANMEET PRITAM SINGH ARORA, J

AUGUST 22, 2024/mr/ms

[Click here to check corrigendum, if any](#)