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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 883/2023 I.A. 26274/2023 I.A. 29872/2024 I.A. 40598/2024
I.A. 46058/2024 I.A. 49023/2024 I.A. 2778/2025 I.A. 2850/2025
PREETI KAPOORPlaintiff

Through: Mr. Gaurav Bahl and Mr. Amit
Chawla, Advs.

versus

SANJAY JAIN HUF & ORS.Defendant

Through: Mr. Sindhu Sinha, Adv.
Mr. Akshay Makhija, Sr. Adv. with
Mr. Naveen Sharma, Adv. for
Applicant.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
03.03.2025

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I.A. 2778/2025 (Application under Order I Rule 10 read with Section 151 of CPC for impleadment)

1. This application has been filed by *Mr. Rahul Kapoor*, seeking impleadment as a necessary party to the suit. *Mr. Rahul Kapoor* is the *husband* of the plaintiff, *Ms. Preeti Kapoor*, who has filed this suit seeking a preliminary decree of partition between plaintiff and defendant nos.1-3 in respect of the property *No. 943, Faiz Road, Karol Bagh, New Delhi ('suit property')*.

2. Mr. Akshay Makhija, Senior Counsel for applicant, states that the suit property was purchased and was held as *benami* on behalf of the applicant. He states that rents from the said property, which was purchased collectively



by three other investors, has also been received by the applicant as per his share. He states that the plaintiff and the applicant are estranged; however, the applicants have legal rights on the property and, therefore, has to be impleaded as a necessary party.

3. Issue notice.
4. Notice is accepted by counsel for the plaintiff, who shall file a response before the next date of hearing.
5. List on 22nd July 2025.
6. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MARCH 3, 2025/MK/tk