



\$~39

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 14/2024, I.A. 464/2024, 465/2024, 466/2024 & 467/2024**

BEANT KAUR

..... Plaintiff

Through: Mr. Jaspreet Singh Rai, Mr. Rohit
Nagpal, Mr. Ravi Kumar, Advs. (M.
8882802453)

versus

DR. HARMINDER KAUR AND ORS.

..... Defendants

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **09.01.2024**

1. This hearing has been done through hybrid mode.

I.A.465/2024 (for exemption)

2. Allowed, subject to all just exceptions. Application is disposed of.

CS(OS) 14/2024

3. Let the plaint be registered as a suit.

4. Issue summons to the Defendants through all modes upon filing of Process Fee. Summons shall be served at the email address mentioned in the amended memo of parties by the Registry. Along with summons, the copy of today's order be also sent.

5. The summons to the Defendants shall indicate that a written statement to the plaint shall be positively filed within 30 days from date of receipt of summons. Along with the written statement, the Defendants shall also file an affidavit of admission/denial of the documents of the Plaintiff, without which the written statement shall not be taken on record.



6. Liberty is given to the Plaintiff to file a replication within 15 days of the receipt of the written statement(s). Along with the replication, if any, filed by the Plaintiff, an affidavit of admission/denial of documents of the Defendants, be filed by the Plaintiff, without which the replication shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

7. List before the Joint Registrar for marking of exhibits on 28th February, 2024. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

8. List before Court on 20th May, 2024

I.As.464/2024 (for stay), 466/2024 (u/O XXXIX Rule 10 CPC) & 467/2024 (for discovery)

9. The present suit has been filed by the Plaintiff - Ms. Beant Kaur wife of Late Sardar Trilok Singh, under her capacity as legal heir of her son Late Dr. Gurmit Singh Dhillon.

10. In the present suit, the Plaintiff is 94 years of age and seeks partition of the movable and immovable assets of her son, including the property in East Patel Nagar bearing No.13/7, Upper Ground Floor, East Patel Nagar, New Delhi - 110008.

11. It is her case that her son- Gurmit Singh Dhillon passed away on 27th February, 2017. It is stated that he died intestate leaving behind Plaintiff and Defendants as his Class-I legal heir.

12. The Plaintiff is stated to have been earlier living in this property. However, it is alleged that since the daughter-in-law- Defendant No.1 and two grandsons- Defendant Nos. 2 and 3 did not take care of her well and ill-treated her, she moved to the USA to live with her daughters. According to



the Plaintiff, she has 1/4th share in her son's assets including movable and immovable property.

13. Issue notice in all the applications. The property is stated to have been given on rent. In the meantime, *Status quo* as to the title of the property shall be maintained and no third party interest be created.

14. Compliance of order XXXIX Rule 3 CPC be made within one week.

15. Replies to all the applications be filed within four weeks. Rejoinders within four weeks thereafter.

16. List before the Joint Registrar on 28th February, 2024.

17. List before the Court on 20th May, 2024.

PRATHIBA M. SINGH, J.

JANURARY 09, 2024/dk/bh