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

+ **CS(OS) 552/2025 & I.A. 20228/2025**

BHUWAN AGARWAL

.....Plaintiff

Through: Mr. Naveen Kumar, Mr. Ali Kazi and
Rishabh Jain, Advs.
Mr. Bhuwan Agarwal, Plaintiff in
person

versus

RAVI SHANKER & ANR.

.....Defendants

Through: Mr. Deep Dhamija and Ms. Santoshi
Yadav, Advocates for D-1 and D-2.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

13.11.2025

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CS(OS) 552/2025

1. The present suit is one for partition and permanent injunction of the property bearing No.A-2/278, Block A-2, Janakpuri, New Delhi – 110058 [hereinafter referred to as the “Suit Property”].
2. It is the case of the Plaintiff that the Suit Property was initially purchased by the Plaintiff’s grand-father – Late Sh. Sohan Lal Agarwal by virtue of a registered Conveyance Deed dated 09.10.1996. The grand-father - Sh. Sohan Lal Agarwal passed away on 28.02.2011 leaving behind his wife, three sons and three daughters. It is stated that the grand-mother of the Plaintiff and three daughters of Late Sh. Sohan Lal Agarwal relinquished their rights in the Suit Property in favour of three sons i.e., Plaintiff’s father, Defendant No.1 and Defendant No.2.



3. It is stated that Plaintiff's father passed away on 17.10.2024 leaving behind his wife and the Plaintiff herein. It is stated that Plaintiff's mother relinquished her share in favour of the Plaintiff vide a Relinquishment Deed dated 11.12.2024, thereby making the Plaintiff entitled to 1/3rd share in the Suit Property.
4. Let the plaint be registered as a Suit.
5. Learned Counsel appearing for Defendant Nos.1 and 2 accepts notice. Service is, therefore, complete.
6. Let the Written Statement be positively filed within the time prescribed under the Delhi High Court (Original Side) Rules, 2018 along with the affidavit of admission/denial of the documents of the Plaintiff, without which the Written Statement shall not be taken on record.
7. Liberty is given to the Plaintiff to file the Replication within the time prescribed under the Delhi High Court (Original Side) Rules, 2018 along with the affidavit of admission/denial of documents of the Defendant, without which the Replication shall not be taken on record.
8. List before the learned Joint Registrar (Judicial) for further proceedings on 02.02.2026.
9. Since the dispute is between the nephew and uncles, the parties are referred to Delhi High Court Mediation and Conciliation Centre to make an attempt to settle the disputes amicably.
10. The parties are directed to approach the Delhi High Court Mediation and Conciliation Centre on 21.11.2025 at 04:30 PM. In case any of the party is not available to attend the mediation physically, permission is granted to join the mediation proceedings through video conferencing.

I.A. 20227/2025



1. This application under Order XXXIX Rules 1 and 2 CPC read with Section 151 CPC has been filed on behalf of the Plaintiff for restraining the Defendants from construction, altering, transferring, alienating, creating third party interest in the Suit Property.
2. Issue notice.
3. Learned Counsel appearing for the Defendant Nos.1 and 2 accepts notice.
4. Reply, if any, be filed. Response thereto, if any, be filed before the next date of hearing.
5. Though there is a prayer in the application for restraining the Defendants from raising construction on the Suit Property, this Court is not inclined to entertain this prayer at this juncture.
6. Till the next date of hearing, Defendants are restrained from transferring, alienating, creating third party interest in the Suit Property.
7. List before Court on 23.03.2026.

SUBRAMONIUM PRASAD, J

NOVEMBER 13, 2025

S. Zakir