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

+ **CS(OS) 555/2025, I.A. 20284/2025 & I.A. 20285/2025**

SH. VIJENDER AGGARWAL

.....Plaintiff

Through: Mr. Anuj Kumar Garg, Advocate with
plaintiff in person

versus

SH. YOGENDER AGGARWAL AND ANR

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **20.08.2025**

I.A. 20285/2025 (seeking condonation of delay in re-filing the suit)

1. This application has been filed by the plaintiff seeking condonation of delay of 4 days in filing the present suit.
2. Given the short period of delay and for the reasons stated in the application, the same is allowed.
3. The delay of 4 days in filing the present suit is condoned.
4. Accordingly, the application stands disposed of.

CS(OS) 555/2025

5. Let the plaint be registered as a suit.
6. Issue summons to the defendants through all permissible modes.
7. The summons shall state that the written statement(s) shall be filed by the defendants within thirty (30) days from the date of the receipt of



summons. Along with the written statement(s), the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

8. Liberty is given to the plaintiff to file replication, if any, within thirty (30) days from the receipt of the written statement(s). Along with the replication filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.

9. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.

10. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

11. List on 5th February, 2026.

I.A. 20284/2025 (u/O-XXXIX Rule 1 & 2 of Code of Civil Procedure, 1908)

12. The present suit has been filed seeking relief of partition along with other ancillary reliefs.

13. The plaintiff and the defendant no.1 are brothers, and the defendants no.2 to 4 are the sisters of the plaintiff. The father of the parties Sh. Matu Ram Aggarwal expired on 16th September, 2013, intestate. Subsequently, the mother of the parties Smt. Vidyawati also expired on 01st June, 2021.

14. The details of the movable and immovable properties of late Sh. Matu Ram Aggarwal, as detailed in paragraphs 6 and 7 of the plaint, are set out below:-



6. That Late Sh. Maturam Aggarwal, who died on 16.09.2013, left behind the following assets i.e. movable and immovable both are as follows:

- i. C-6, Ganesh Nagar, IInd Portion, Pandav Nagar Complex, Delhi-110092, ad-measuring area approx 100 sq. Yds. (15' X 60') built-up upto 04th floor complete.
- ii. Shop No. 17, Nehru Nagar, Main Market, Near Post Office, New Delhi-110065 at ground floor without roof rights.
- iii. H. No. 61, Block No. 5, Nehru Nagar, New Delhi-110065, ad-measuring 50 Sq. Yds. approx
- iv. Flat No. C-1016, First Floor, C-Block, Mohalla/Village-Jait, Tehsil & District Mathura, "Sri Krishnalok" NH-02, Delhi Agra Highway, Khasra No. 719/720/721/1 & 721/2, Super Area 812 Sq. Foot, 75.46 Sq. Mtrs.,



- v. Flat No. 0027, Gyatri Lok Housing Complex, Bypass Road, Visekhupura, Kankhal, Haridwara, Himachal Pradesh, ad-measuring 50.46 Sq. Mtrs.
- vi. Flat No. 3007, Gyatri Lok Housing Complex, Bypass Road, Visekhupura, Kankhal, Haridwara, Himachal Pradesh, ad-measuring 50.46 Sq. Mtrs.
- vii. Property No. P-49A, Pandav Nagar, Delhi-110092, ad-measuring area 83.61 Sq. Mtrs. Parking with upper ground floor.
- viii. Shri Gurudham Bhawan, Ghata Mehndipur Balaji, Near Main Bus Stand, Distt. Dosa, Rajasthan, ad-measuring 1070 Sq. Yds.
- ix. One Pistol 0.32 Bore Pistol No. 3818, License No. SDSN/4/1995/86
- x. State Bank of Bikaner and Jaipur, Branch Mehndipur Balaji, Rajasthan, Saving A/c No. 51082138842.
- xi. State Bank of India, Branch Friends Colony, Delhi, Saving A/c No. 010484969445
- xii. State Bank of India, Branch Zakir Nagar, Delhi, Saving A/c No. 32928768802
- xiii. State Bank of India, Branch Friends Colony, Delhi, Locker No. 79.
- xiv. 85 Gold Coins
- xv. 160 Silver Coins,
- xvi. 5 KG silver utensils,
- xvii. 7 KG silver idols of the God,



- xviii. Two Gold google's frame in total both frames are about 120 Grm in weight.
 - xix. 3 Gold Rings, having weight in total 30 Gram
 - xx. Two gold chains, having weight in total 70 Gram
 - xxi. One big Gold Rudraksh Mala of 108 Manke having weight of 50 Gram.
 - xxii. One gold bractlet of weight 70 Gram.
 - xxiii. Four Silver Bricks having weight in total 4 KG.
7. That the following assets left behind by Smt. Vidyawati are as follows:
- i. Four gold neckless of weight 200 Gram
 - ii. Four Gold Bangles (Kade) of weight 60 Gram
 - iii. Two big gold traditional Bangles (Kade) of weight 60 Gram
 - iv. One Tagri (Kamarbandh) of weight 400 gram
15. Issue Notice.
16. Notice be issued to the defendants through all permissible modes.
17. Reply(ies) be filed within four (4) weeks.
18. Rejoinder(s) thereto, if any, be filed within two (2) weeks thereafter.
19. List before the Joint Registrar on 29th October, 2025, for completion of service and pleadings.
20. List before the Court on 5th February, 2026.

AMIT BANSAL, J

AUGUST 20, 2025
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