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

+ CS(OS) 563/2025, I.A. 21022/2025, I.A. 21023/2025, I.A. 21024/2025, I.A. 21025/2025, I.A. 21026/2025, I.A. 21027/2025, I.A. 21028/2025, I.A. 21029/2025

ANUJEET GARG AND ANR.

.....Plaintiffs

Through: Mr. Anuj Kapoor, Mr. Nandeesh Nanda, Mr. Shivom Sethi, Advs.

versus

ARVINDER SINGH BAINS

.....Defendant

Through: Mr. Kishore M. Gajaria, Mr. Aayush Paranjpe, Advs.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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16.12.2025

I.A. 21022/2025 (under XVI Rule 6 CPC)

1. List the matter before the Joint Registrar on 07.01.2026 for completion of pleadings.

I.A. 21023/2025 (under Order XXXIX Rule 1 & 2 CPC)

2. In view of the subsequent application for similar reliefs, i.e., I.A. 21027/2025, the present application renders infructuous.

I.A. 21028/2025 & I.A. 21029/2025(under Section 151 CPC)

3. Let both the applications be treated to have been disposed of.

I.A. 21027/2025 (under Order XXXIX Rule 1 & 2 CPC read with XXXVIII Rule 5 CPC read with 151 CPC)

4. The present suit has been filed by two sisters seeking declaration,



partition, rendition of accounts and recovery of money with respect to the estate of their deceased father, late Sh. Rajinder Singh Bains who passed away, intestate, on 09.04.2023. The plaintiffs and defendant are the only surviving Class-I legal heirs. The defendant has propounded purported Will dated 21.09.2021 (*the Will*), purportedly executed by late Sh. Rajinder Singh Bains, *vide* which, his properties were bequeathed to the defendant and his family. If the Will propounded by the defendant is not accepted, all the parties would be entitled to be equal 1/3rd share in the estate.

5. On account of the testamentary case in respect of the Will, the civil suit has been transferred from the District Court, South Saket Courts. The District Judge, on 30.01.2024 and 28.02.2024, had directed the parties to maintain *status quo vis-à-vis* the assets of late Sh. Rajinder Kumar Bains. It is, however, contended that before the order of the status order came to be passed, certain amount had already been withdrawn from the account of late Sh. Rajinder Kumar Bains by the defendants.

6. Mr. Kishore M. Gajaria, learned counsel appearing for the defendants, is therefore directed to take instructions as to how much amount was withdrawn from the account of the deceased father of the parties late Rajinder Kumar Bains.

7. Let a specific affidavit be filed with full clarity of account numbers and the amounts withdrawn by the said defendant.

8. Depending upon the same, if the Court has to further examine the factual position, the concerned Bank can be directed to place on record the statement of accounts.

9. In order to enable Mr. Kishore M. Gajaria to first file the affidavit, let the matter be listed on 02.02.2026.



10. The earlier *status quo* order dated 28.02.2024 shall remain in force.

DECEMBER 16, 2025

Pallavi

PURUSHAINDRA KUMAR KAURAV, J