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

+ **CS(OS) 626/2025 with I.A. 22275/2025**

MR. ROMI GARG

.....Plaintiff

Through: Mr. Sanjeev Sindhwani, Senior
Advocate with Mr. Jai Sahai Endlaw
and Ms. Shambhavi Kala, Advocates

versus

MRS. SHEELA DEVI & ORS.

.....Defendants

Through: Dr. L.S. Chaudhary, Dr. Ajay
Chaudhary, Mr. Bharat Chaudhary,
Ms. Vinita and Ms. Monika
Chaudhary, Advocates for D-1 and
D-3

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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10.09.2025

CS(OS) 626/2025

1. Let the plaint be registered as a suit.
2. Issue summons.
3. Summons are accepted by counsel appearing on behalf of the defendants no.1 and 3 and waive the issuance of formal summons. Let a copy of the complete set of the plaint paper-book be supplied to counsel for the defendants no.1 and 3 by way of an e-mail during the course of the day.
 - 3.1. Written statement(s) shall be filed by the defendants no. 1 and 3 within thirty (30) days from today.
4. Summons be issued to the defendant no.2 through all permissible



modes.

5. The summons shall state that the written statement(s) shall be filed by the defendant no.2 within thirty (30) days from the date of the receipt of summons. Along with the written statement(s), the defendants shall also file affidavit of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

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

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

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

9. List on 15th October, 2025.

I.A. 22275/2025 (u/O-XXXIX Rule 1 & 2 of Code of Civil Procedure, 1908)

10. The present suit has been filed seeking relief for specific performance of agreement to sell dated 15th May, 2023, entered into between defendant no.1 and the plaintiff in respect of the following two properties:

- i. Entire Freehold Built-up Property No. 118, in Block 'N' measuring 300 sq. yds. situated in residential colony known as Greater Kailash Part – 1, New Delhi.
- ii. 55% of the undivided, indivisible and impartible ownership rights in the plot of land measuring 833.33 sq. yds. bearing No. A – 1, situated at Greater Kailash Enclave – II, New Delhi.



To be noted, defendant no.1 is the mother of plaintiff.

11. By way of the present application, the plaintiff seeks an interim order restraining defendants no.1 and 3 from creating third party rights in the properties that are the subject matter of the agreement to sell.

12. It is the admitted case of the parties that second and third floor of the Plot No. A-1, measuring 833.33 sq. yds., Greater Kailash Enclave-II, New Delhi, have already been sold to third parties and basement, ground and first floor of the said property are in possession of the defendants no. 1 and 3.

13. Property bearing no. 118, Block 'N', measuring 300 sq. yds., Greater Kailash Part-I, New Delhi is also stated to be in possession of the defendants no.1 and 3.

14. Issue notice.

15. Notice is accepted by the counsel for the defendants no. 1 and 3.

16. Notice be issued to the defendant no.2 through all permissible modes, including through electronic modes.

17. Reply be filed within two (2) weeks.

18. Rejoinder thereto, if any, be filed within two (2) weeks thereafter.

19. List on 15th October, 2025.

AMIT BANSAL, J

SEPTEMBER 10, 2025

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