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

+ **CONT.CAS(C) 1383/2025 & CM APPL. 57460/2025 (Stay)**

NARESH BEDI

.....Petitioner

Through: Mr. Rahul Sharma, Mr. Darshitha P.
Mandoth, Mr. Harsh Bansiwala, Advs.

versus

SHASHI BADHWAR

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **11.09.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 57462/2025 (Exemption) & CM APPL. 57461/2025 (Lengthy synopsis and list of dates)

2. Allowed, subject to all just exceptions. The applications are disposed of.

CONT.CAS(C) 1383/2025 & CM APPL. 57460/2025 (Stay)

3. The present petition under Sections 2(b) read with Sections 11 and 12 of the Contempt of Courts Act, 1971 read with Section 151 of the CPC seeks the following prayers:

- “i) Issue notice to the contemnors to appear in person before this Hon'ble court;
- ii) Initiate appropriate contempt proceedings against the respondents and punish them in accordance with law;
- iii) Hold the respondents/contemnors guilty of wilful and deliberate contempt of court for disobedience of the final judgment and decree dated 22.07.2019 in CS(OS) 452/2016;
- iv) Restrain the Respondent, their agents, assigns or any person acting on their behalf from entering the suit property bearing No.



D-28, Rajouri Garden, New Delhi on the basis of the alleged sale deed dated 15.07.2025;

v) Pass such other and further orders as may be deemed fit in the interest of justice.”

4. Learned counsel appearing on behalf of the petitioner submits that *vide* decree and judgment dated 22.07.2019, the following directions were passed:

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“28. At this stage, on some persuasion, all counsels have agreed to a preliminary decree for partition of property No.D-28, Rajouri Garden, New Delhi being passed, declaring the plaintiff Naresh Bedi, defendant no.1 Vandana Bedi, deceased Ramesh Bedi and deceased Sheela Bedi to be the owner of 25% share each in the property, with the question of the inheritor of the share of deceased Ramesh Bedi and deceased Sheela Bedi being left open to be decided in an appropriate proceeding.

29. Preliminary decree for partition be drawn up.

30. On enquiry, all counsels also agree that the property is incapable of division by metes and bounds and state that a final decree for partition of the property be passed, of sale thereof and of distribution of sale proceeds between the parties as per their shares in the preliminary decree for partition, with share of deceased Ramesh Bedi and Sheela Bedi being deposited in the Court subject to outcome of the lis as to the Wills of deceased Ramesh Bedi and deceased Sheela Bedi.

31. The Senior Counsel for the defendants no.1&2 also states that the sons of the defendant no.1 and the plaintiff will have a right to claim a share out of the sale proceeds of the property of the share of plaintiff.

32. Though as of now it appears that in the facts aforesaid, the question of the sons of the plaintiff and the defendant no.1 having any share out of the share of plaintiff does not arise, but this lis is not concerned therewith and the only thing which can be observed is that, as and when any such lis is filed, the same shall be decided on its own merits.

33. Accordingly, a final decree for partition of property No.D-28, Rajouri Garden, New Delhi is passed, of sale thereof and of distribution of sale proceeds in accordance with the preliminary decree for partition, with the condition that (i) the sale proceeds of



the share of deceased Ramesh Bedi and deceased Sheela Bedi shall remain deposited in this Court subject to the outcome of the lis with respect to the Wills of the said deceased Ramesh Bedi and deceased Sheela Bedi set up by the plaintiff and disputed by the defendant no.6; (ii) before the property is sold to outsiders, the parties shall be entitled to make inter se bids, with the party bidding the highest, acquiring the shares of others, against execution of requisite documents and delivery of possession; and, (iii) if any of the parties in possession / occupation of the property does not vacate the property or deliver possession to the purchaser or the highest bidder, the said party / parties shall be liable to be dispossessed therefrom as if in pursuance to a decree for recovery of possession of immovable property.”

5. It is submitted that the respondent herein is a legal heir of the deceased Ramesh Bedi and the deceased Sheela Bedi and, in view of the aforesaid directions, the respondent could not have independently alienated or entered into an agreement to sell with a third party.

6. Issue notice to the respondent, on petitioner taking necessary steps, through all permissible modes, including electronic mail, if any, returnable on 27.11.2025.

7. In the meantime, the petitioner shall file an amended memo of parties arraying the prospective buyer as a party to the present petition. Let the same be done before the next date of hearing.

AMIT SHARMA, J

SEPTEMBER 11, 2025/kr/sp