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

+ CS(OS) 743/2025 with I.A. 26117/2025, I.A. 26118/2025, I.A. 26119/2025 and I.A. 26120/2025

MEERA YADAV RUDIN THROUGH HER SPA HOLDER
SARTHAK CHATURVEDIPlaintiff

Through: Advocate (*appearance not given*)

versus

VISHWANATH YADAV & ORS.Defendants

Through: Mr. Rajat Aneja and Mr. Anand
Chaitanya Dutta, Advocates for D-1
to D-3 and D-6 to D-10.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
17.10.2025

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I.A. 26119/2025 (seeking exemption from filing the dim/hand written documents)

1. Allowed, subject to the plaintiff filing legible copies of documents within four (4) weeks from today.
2. Accordingly, the application stands disposed of.

I.A. 26120/2025 (seeking stay of proceedings)

3. Counsel for the plaintiff does not press this application.
4. Accordingly, the application is dismissed as not pressed.

I.A. 20118/2025 (u/O XL Rule 1 of CPC, 1908)

5. The present application has been filed for the appointment of a



Receiver to preserve the movable assets and income of the ancestral estate.

6. Issue Notice.
7. Notice is accepted by Mr. Rajat Aneja, counsel appearing on behalf of the defendants no.1 to 3 and 6 to 10.
8. Issue notice to the remaining defendants through all permissible modes.
9. Reply be filed within four (4) weeks.
10. Rejoinder, thereto, if any, be filed within two (2) weeks thereafter.
11. List before the Joint Registrar on 15th December, 2025.
12. List before the Court on 24th March, 2026.

CS(OS) 743/2025

13. Let the plaint be registered as a suit.
14. Issue summons.
15. Summons are accepted by counsel appearing for the defendants no.1 to 3 and 6 to 10.
16. Let a copy of the complete set of the plaint paper-book be supplied to counsel for the defendants no.1 to 3 and 6 to 10 during the course of the day.
17. Summons be issued to the remaining defendants through all permissible modes.
18. 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.
19. 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.

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

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

22. List before the Joint Registrar on 15th December, 2025.

23. List before the Court on 24th March, 2026.

I.A. 26117/2025 (u/O XXXIX Rules 1 and 2 of CPC, 1908)

24. The present suit has been filed seeking partition, along with other ancillary reliefs.

25. The plaintiff seeks partition of the following properties, which are stated to be ancestral properties belonging to the plaintiff's grandfather Shri Bhagwana:-

- i. WZ - 114/D, Village Todapur, New Delhi - 110012: Admeasuring 1200 sq. yards, which includes a building consisting of a basement, ground floor and first floor that is being used for residential purposes. Additionally, there are 2 (Two) temples, i.e., a Hanuman temple and a Krishna temple, along with a shop facing the main road with an entrance door at the Hanuman temple located within the property. Furthermore, the property includes a 2nd building behind the residential portion, consisting of a basement, ground floor, first floor and second floor, that is being used for residential purposes.
- ii. WZ -114/E & 114/F Main Road, Todapur, New Delhi - 110012: Admeasuring approximately 1600 sq. yards and commonly known as the "Hari Singh Complex". This portion is currently in the possession of the heirs of Late Sh. Hari Singh.
- iii. WZ - 40 Village Todapur, New Delhi -110012: A residential property admeasuring 250 sq. yards consisting of a ground floor & first floor.
- iv. WZ - 70 Village Todapur, New Delhi -110012: A residential property admeasuring



250 sq. yards approximately consisting of a ground floor & first 20 floor. This portion is currently in the possession of the heirs of Late Sh. Hari Singh.

26. Issue Notice.
27. Notice is accepted by Mr. Rajat Aneja, counsel appearing on behalf of defendants no.1 to 3 and 6 to 10.
28. Mr. Aneja submits that a partition in respect of the aforesaid property was effected 60 years back, in terms of which, only the property at sl. nos.(i.) and (iii.) came to the share of the plaintiff's father. He further submits that in respect of property at sl.no.(i), there has already been an interim stay passed by the District Court, Patiala House Courts on 23rd November, 2024 in Probate Case 32/2023 filed by the defendants no.2 and 3 herein, which is still in operation.
29. Mr. Aneja further submits that in respect of the properties at sl.nos.(i) and (iii.), a registered Will has been executed by the late father of the plaintiff and defendant no.1, in terms of which the aforesaid properties have been bequeathed in favour of defendants no.2 and 3.
30. Issue notice to the remaining defendants through all permissible modes.
31. Reply(ies) be filed within four (4) weeks.
32. Rejoinder thereto, if any, be filed within two (2) weeks thereafter.
33. List before the Joint Registrar on 15th December, 2025.
34. List before the Court on 24th March, 2026.

AMIT BANSAL, J

OCTOBER 17, 2025

Vivek/-