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

+ **CS(OS) 912/2024 & I.A. 13844/2025**

NARENDER KUMAR ARORA

.....Plaintiff

Through: **Mr. Arun Batta and Mr. Abdul Wahid,**
Advocates

versus

VIJAY KUMAR ARORA & ORS.

.....Defendants

Through: **None**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **28.05.2025**

CS(OS) 912/2024

1. This suit has been filed seeking partition of the estate (movable and immovable) of late Sh. Manohar Lal Arora and estate (only movable) of late Smt. Surjit Kumari.
2. It is stated that plaintiff and defendants herein are siblings, and the deceased are the father and mother.
3. The Registry is directed to place the amended plaint filed with I.A. 48274/2024 in the pleading folder, as the said amended application stands allowed vide order dated 07.04.2025.
4. Let the amended plaint be registered as a suit. Summons be issued to the defendants by all permissible modes on filing of process fee. Affidavit of service be filed within two (2) weeks.
5. The summons shall indicate that the written statement(s) must be filed within thirty (30) days from the date of receipt of the summons. The



defendants shall also file affidavit(s) of admission/denial of the documents filed by the plaintiff, failing which the written statement(s) shall not be taken on record.

6. The plaintiff is at liberty to file replication(s) thereto within thirty (30) days after filing of the written statement(s). The replication(s) shall be accompanied by affidavit(s) of admission/denial in respect of the documents filed by the defendants, failing which the replication(s) shall not be taken on record.

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

8. Any party seeking inspection of documents may do so in accordance with the Delhi High Court (Original Side) Rules, 2018.

9. List before the learned Joint Registrar (J) for completion of service and pleadings, marking of exhibits and admission/denial of documents on **29.07.2025**.

10. List before the Court on **23.09.2025**.

I.A. 13844/2025 (Under Order XXXIX Rule 1 and 2 CPC)

11. This is an application filed by the plaintiff under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908 ('CPC') seeking interim injunction with respect to the estate (movable and immovable) of late Sh. Manohar Lal Arora and estate (only movable) of late Smt. Surjit Kumari.

12. Learned counsel for the plaintiff states that plaintiff is not in possession of the full details of the estate of the deceased persons. He states that the list of assets known to the plaintiff has been set out in the plaint.

12.1. He states that the legal notice was issued to defendants seeking partition of the estate of the deceased persons; however, defendants have



propounded a Will dated 29.12.2012 allegedly executed by late Sh. Manohar Lal Arora, validity thereof is not admitted by the plaintiff.

12.2. He states that the challenge to the said Will has been set out in the plaint. He states that the plaintiff claims rights by intestate succession in the suit properties. He states that to the knowledge of the plaintiff, no testamentary case for proving the said Will has been filed by the defendants.

12.3. He also states that all title documents pertaining to the estate of the deceased persons are in the possession of the defendants.

13. Issue notice to the defendants through all modes.

14. Let the reply be filed within a period of four (4) weeks.

15. Rejoinder thereto, if any, be filed within a period of four (4) weeks thereafter.

16. Defendants are directed to place on record along with the written statement(s), the complete details of the estate of late Sh. Manohar Lal Arora as on the date of his death and of the estate of late Smt. Surjit Kumari as on the date of her death.

17. The parties are directed to maintain status quo *qua* the estate (movable and immovable) of late Sh. Manohar Lal Arora and the movable estate of late Smt. Surjit Kumari until the next date of hearing.

18. Provisions of Order XXXIX Rule 3 of CPC be complied with within one (1) week from today.

19. List before the learned Joint Registrar (J) for completion of service and pleadings, marking of exhibits and admission/denial of documents on **29.07.2025**.

20. List before the Court on **23.09.2025**.

21. The digitally signed copy of this order, duly uploaded on the official



website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MAY 28, 2025/rhc/akp

MANMEET PRITAM SINGH ARORA, J

[Click here to check corrigendum, if any](#)