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

+ **CS(OS) 812/2025 with I.A. 28248/2025**

SH. PORAS YADAV & ORS.

.....Plaintiffs

Through: Mr. Manikaran Sharma, Mr. Devvrat
Pradhan and Mr. Sachin Kumar,
Advocates

versus

NARAIN SINGH YADAV

.....Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

13.11.2025

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CS(OS) 812/2025

1. Let the plaint be registered as a suit.
2. Issue summons.
3. Summons be issued to the defendant through all permissible modes including email.
4. The summons shall state that the written statement shall be filed by the defendant within thirty (30) days from the date of the receipt of summons. Along with the written statement, the defendant shall also file an affidavit of admission/ denial of the documents of the plaintiffs, without which the written statement shall not be taken on record.
5. Liberty is given to the plaintiffs to file replication, if any, within thirty (30) days from the receipt of the written statement. Along with the



replication filed by the plaintiffs, an affidavit of admission/ denial of the documents of the defendant be filed by the plaintiffs.

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

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

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

I.A. 28248/2025 (u/O-XXXIX Rule 1 & 2 of the CPC)

9. The present suit has been filed *inter alia* seeking partition of land measuring 4 Bighas 18 Biswas in Khasra No.6/19/2 (min) in Village Samaypur, Delhi (hereinafter ‘suit property’).

10. The aforesaid property belonged to one Sh. Maman Singh who sold 2 Bighas 18 Biswas of the said land to the defendant, and 2 Bighas of the said land to his son Sh. Som Dutt Yadav *vide* registered sale deeds dated 4th May, 1989.

11. Sh. Som Dutt Yadav expired on 24th September, 2011 and was survived by the plaintiffs as his legal heirs.

12. Accordingly, all right, title and interest in the aforesaid 2 Bighas of the suit property devolved upon the plaintiffs.

13. It is submitted that the plaintiffs and the defendant are in joint possession of the suit property.

14. Counsel for the plaintiff submits that the plaintiffs have called upon the defendant for partition of the suit property on many occasions. However, the defendant has not been agreeable to the same.

15. None appears on behalf of the defendant despite advance service.

16. Issue Notice.



17. Notice be issued to the defendant through all permissible modes, including email.
18. Reply be filed within four (4) weeks.
19. Rejoinder thereto, if any, be filed within three (3) weeks thereafter.
20. Accordingly, a *prima facie* case is made out on behalf of the plaintiffs.
21. Till the next date of hearing, *status quo* with regard to the title and possession of the suit property shall be maintained.
22. Compliance under Order XXXIX Rule 3 of the Code of Civil Procedure, 1908 shall be done within three (3) days.
23. List before the Joint Registrar on 21st January, 2026 for completion of service and pleadings.
24. List before the Court on 24th March, 2026.

AMIT BANSAL, J

NOVEMBER 13, 2025
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