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

+ **CS(OS) 873/2025**

ANIL HANDA

.....Plaintiff

Through: Mr. Jai Sahai Endlaw and Mr. Gaurav Sindhvani, Advocates.

versus

ANITA DHAR & ORS.

.....Defendants

Through: Mr. Satish Rai, Ms. Shatakshi Sharma and Ms. C. Yadav, Advocates for D1.

Mr. Vidur Mohan, Mr. Kaushal Kumar Singh, Ms. Radhika Pant and Ms. Prachi Batra, Advocates for D2.

Mr. Sanjay Kumar Shandilya, Advocate for D3.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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09.03.2026

I.A. 30257/2025 (Application under Order XXXIX Rule 1 and 2 CPC by the plaintiff)

1. By way of the present application, following reliefs have been sought:

“a) pass an order granting temporary injunction, restraining the Defendants, their agents, assigns, representatives and all others acting on their behalf alienating or creating any third party right, title or interest in the Ground Floor of immovable property bearing no. 32, Jor Bagh, New Delhi 110003 till the pendency of the present suit;

b) pass an order granting temporary injunction, restraining the Defendants, their agents, assigns, representatives and all others acting on their behalf from withdrawing, liquidating, encashing, redeeming, transferring, pledging, encumbering or otherwise dealing with any part of the movable assets of Late Smt. Shama



Handa”

2. Learned counsel appearing on behalf of the parties are *ad idem* that insofar as shares in the immoveable suit property, i.e., property bearing no. 32, Jor Bagh, New Delhi-110003 is concerned, there is no dispute that the parties have $\frac{1}{6}$ th share each in terms of the Will left by Late Smt. Shama Handa.

3. The parties are also *ad idem* that they will maintain *status quo* with regard to possession and title of the said suit property. The statement is taken on record and the parties are bound down to the same.

4. Insofar as the moveable assets of Late Smt. Shama Handa are concerned, Mr. Jai Sahai Endlaw, learned counsel appearing on behalf of the plaintiff submits that late Smt. Shama Handa also left behind moveable assets in the form of bank accounts, FDRs and mutual funds. He submits that in those moveable assets, either the plaintiff or defendant nos. 1 and 2 are the nominee.

5. He submits that in case the parties exercise their rights as nominee and withdraw the amount, it will be difficult to get back the money. He, therefore, urges the Court to direct the parties not to exercise their right as nominee in the moveable assets of Late Smt. Shama Handa. He further submits that the plaintiff also undertakes not to exercise any such rights.

6. Having regard to the fact that the present is a suit for partition and the nominees only has a right to receive the money to give a valid discharge to the financial institutions, insurance companies etc. and such nominee holds the same as a trustee for all the legal heirs, this Court is of the view that the plaintiffs, defendant nos. 1 and 2 may henceforth maintain *status quo* with



regard to exercising of their right as nominee in the moveable assets of Late Smt. Shama Handa. Ordered accordingly.

7. No further orders are warranted in the present application.

8. Application stands disposed of.

I.A. 30258/2025 (Under Order XL Rule 1 read with Section 151 CPC by the plaintiff)

9. Let reply to the application be filed by the defendants within a period of four weeks.

10. Rejoinder thereto, if any, be filed before the next date of hearing.

11. Re-notify on 04.08.2026.

VIKAS MAHAJAN, J

MARCH 9, 2026/jg