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

+ **CS(OS) 889/2025, I.A. 30705/2025 & I.A. 30706/2025**

RAVINDER PERSHAD JAINPlaintiff
Through: **Mr. Ajay Gupta, Advocate.**

versus

ROOPA RANI ALIAS ROOPA BANERJEEDefendant
Through: **None.**

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

ORDER
09.12.2025

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I.A. 30706/2025 (exemption from filing dim documents along with affidavit)

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

CS(OS) 889/2025

3. Let the plaint be registered as a suit.
4. Issue summons.
5. Summons be issued to the defendant through all permissible modes.
6. The summons shall state that the written statement(s) 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 affidavit of admission/denial of the documents of the plaintiff, without which the written statement shall not be taken on record.
7. Liberty is given to the plaintiff to file replication, if any, within thirty



(30) days from the receipt of the written statement. Along with the replication filed by the plaintiff, affidavit of admission/denial of the documents of the defendant be filed by the plaintiff.

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

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

10. List before the Joint Registrar on 11th February, 2026 for completion of service and pleadings.

11. List before the Court on 10th April, 2026.

I.A. 30705/2025 (u/O-XXXIX Rule 1 & 2 of CPC)

12. The present suit has been filed for partition along with other ancillary reliefs.

13. It is stated that the plaintiff purchased 2/3rd undivided portion of the property bearing no. D-10 situated in Rana Pratap Bagh, Delhi-110007 consisting of ground floor, first floor and second floor ('suit property'), vide registered sale deed dated 26th September, 2025 from its previous owners. The portion in possession and occupation of the plaintiff has been shown in red colour in the site plan filed along with the plaint.

14. The defendant is the sister of predecessor in interest of the plaintiff and owns 1/3rd share in the suit property.

15. The plaintiff called upon the defendant to partition the property but the defendant refused to accept the same.

16. Issue Notice.

17. Notice be issued to the defendant through all permissible modes.

18. Reply be filed within four (4) weeks.



19. Rejoinder(s) thereto, if any, be filed within two (2) weeks thereafter.
20. Based on the aforesaid narration of facts, a *prima facie* case has been made out. Balance of convenience lies in the favour of the plaintiff and an irreparable injury would be caused to the plaintiff if any third party right is created in the suit property.
21. The parties shall maintain *status quo* with regard to title and possession of the aforesaid suit property till the next date of hearing.
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 11th February, 2026 for completion of service and pleadings.
24. List before the Court on 10th April, 2026.

AMIT BANSAL, J

DECEMBER 9, 2025

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