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

+ **CS(OS) 22/2025 I.A. 1009/2025**

SH. RAM KUMAR CHIKARAPlaintiff

Through: Mr. Amit George, Adv.

Versus

SH. HARIGYAN & ORS.Defendants

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **16.01.2025**

I.A. 1010/2025 (Exemption)

1. Exemption is granted, subject to all just exceptions.
2. Applicant shall file legible, clear, and original copies of the documents on which the applicant may seek to place reliance before the next date of hearing, whichever is earlier.
3. Accordingly, the present application is disposed of.

CS(OS) 22/2025 alongwith I.A. 1009/2025 (Seeking interim relief)

1. This suit has been filed for partition, rendition of accounts and permanent injunction against the defendants related to property at Khata No. 50/44 (2-12), situated at extended Lal Dora in Village Jaunti, North West Delhi, Delhi- 110081 ("**Suit Property**").
2. Plaintiff is the son of Late Sh. Chandgi Ram, who passed away on 21st March 1996. He was survived by five legal heirs, namely, Sh. Ram Kumar;



Late Sh. Mahendra Singh; Sh. Sajjan Kumar; Late Sh. Satnarain and Smt. Prem Lata. Legal heirs of Late Sh. Chandgi Ram. Legal heirs of Late Sh. Chandgi Ram entered into an agreement dated 09th February 2018, wherein they exchanged the rights in other properties and relinquished their rights, title, and interest in the suit property.

3. Though plaintiff claims that there has been a relinquishment, there is no registered document in this regard. Only a notarized agreement has been appended.

4. Counsel for the plaintiff seeks some time to place on record the relevant documents and no objection certificates from the other legal heirs, to clarify that rights in this property are with the plaintiff.

5. This suit has been filed based on a claim of a consolidated holding (consolidation having occurred in the year 1954-1955). Consolidation of the suit property was with the property of Late Sh. Ram Swaroop property, who was the grandfather of Defendant Nos.1-3 and great-grandfather of Defendant Nos.4-6.

6. As per the revenue records, plaintiff claims that the said consolidated property was held in equal shares of 50% each between the two families of Late Sh. Chandgi Ram and Late Sh. Ram Swaroop. The said property consists of two khasra numbers i.e. Khasra No.216 and Khasra No.217.

7. Khasra No.216 is in the possession of the defendants, and Khasra No.217 is in the possession of the plaintiff. Plaintiff claims that shares in the suit property are equal. However, Khasra No.216, has excess area of approximately 500 sq. yds., and is the subject of the claim raised by the plaintiff.

8. Based on what is noted above, list on 25th February, 2025 for the



counsel for the plaintiff to seek further instructions.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 16, 2025/MK/tk