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

+ CS(OS) 925/2025, I.A. 31744/2025, I.A. 31745/2025 & I.A. 31746/2025

SATPAL SINGH

.....Plaintiff

Through: Dr. Suman Chaudhary and Mr. Vishvender Singh, Advocates.

versus

SATVIR & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **18.12.2025**

I.A. 31745/2025 (seeking exemption from filing certified copies of the annexures)

1. Allowed, subject to the plaintiff filing certified copies of the annexures within four (4) weeks from today.
2. The application stands disposed of.

I.A. 31746/2025 (seeking condonation of delay)

3. This application has been filed by the plaintiff seeking condonation of delay of one (1) day in filing the present suit.
4. Taking into account the period of delay and for the reasons stated in the application, the same is allowed. The delay of one (1) day in filing the suit is condoned.

CS(OS) 925/2025

5. Let the plaint be registered as a suit.



6. Issue summons.
7. Summons be issued to the defendants through all permissible modes.
8. The summons shall state that the written statement(s) shall be filed by the defendants within thirty (30) days from the date of the receipt of summons. Along with the written statement, the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.
9. Liberty is given to the plaintiff to file replication, if any, within thirty (30) days from the receipt of the written statement(s). Along with the replication filed by the plaintiff, affidavit of admission/denial of the documents of the defendants be filed by the plaintiff.
10. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.
11. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.
12. List before the Joint Registrar on 19th February, 2026 for completion of service and pleadings.
13. List before the Court on 23rd April, 2026.

I.A. 31744/2025 (O-XXXIX Rule 1 & 2 of CPC)

14. The present suit has been filed seeking partition and permanent injunction.
15. The plaintiff and the defendants are co-sharers in the lands comprising in *Khasra no.24//21/1 (1-4), 21/2 (3-12), 39//1 (4-16), 10 (4-16) 11 (4-12), 20/1 (0-9), 63//16/2 (4-5), 17/1 (2-1), 24/2 (2-1), 25/1 (3-7) and 357min western side (0-9) total measuring 31 Bigha 12 Biswas, situated within the revenue estate of Village Issa Pur, Delhi* (hereinafter 'suit land'). The copy



of the Khatauni and Ak-Sijra has been filed along with the plaint.

16. The suit land was owned and possessed by Late Sh. Suraj Bhan who is the father of the plaintiff and defendant no.1 and is the father in-law of the defendants no.2 to 4.

17. Sh. Suraj Bhan died *intestate* on 12th July, 2007 leaving behind his five (5) sons as his Class-I legal heirs.

18. After his death, the property was mutated in the name of the five (5) sons.

19. Subsequently, three (3) of the sons namely, Sh. Ramphal, Sh. Dharamvir and Sh. Mahavir executed gift deeds in favour of their wives, *i.e.* defendants no.2 to 4 and the mutation has also been sanctioned in favour of the defendants no.2 to 4.

20. It is stated that the plaintiff is entitled to 1/5th share in the suit land.

21. The dispute arose between the parties when the defendants wanted to raise construction in the suit land. The plaintiff objected to the same and requested the defendants to partition the suit land.

22. The plaintiff filed a civil suit, being Suit No.538/2023, before the Dwarka Court in which *status quo* order was passed.

23. Subsequently, the plaintiff withdrew the aforesaid suit with liberty to file a fresh suit and the same was permitted *vide* order dated 17th September, 2025. Hence, the present suit has been filed.

24. It is the plaintiff's case that despite several requests, the defendants have failed to partition the suit land by metes and bound. It is the plaintiff's apprehension that the defendants are trying to usurp the share of the plaintiff in the suit land by raising construction.

25. Issue Notice.



26. Notice be issued to the defendants through all permissible modes.
27. Reply be filed within four (4) weeks.
28. Rejoinder(s) thereto, if any, be filed within two (2) weeks thereafter.
29. Based on the aforesaid narration of facts, a *prima facie* case has been made out on behalf of the plaintiff. The balance of convenience is in favour of the plaintiff and irreparable injury would be caused to the plaintiff if any third-party right is created in respect of the suit land.
30. Consequently, till the next date of hearing, the parties shall maintain *status quo* with regard to title and possession of the aforesaid suit land.
31. Compliance under Order XXXIX Rule 3 of the Code of Civil Procedure, 1908, shall be done within three (3) days.
32. List before the Joint Registrar on 19th February, 2026 for completion of service and pleadings.
33. List before the Court on 23rd April, 2026.

AMIT BANSAL, J

DECEMBER 18, 2025

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