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

+ CS(OS) 197/2025, I.A. 7999/2025, I.A. 8000/2025 and I.A. 8002/2025

NAMITA SINGH & ANR.

.....Plaintiffs

Through: Dr. Suman Chaudhary, Adv.
Mr. B.S. Jakhar, Mr. Joginder
Sehrawat, Mr. Vikram Singh Jakhar,
Ms. Nidhi Shukla, Ms. Bhawna
Jakhar and Mr. Viraj Rathee, Adv.

versus

BIMLA CHAUDHRY

.....Defendant

Through: Mr. Deepak Biswas and Mr. Ruchika
Rathi, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **27.03.2025**

I.A. 8001/2025 (Exemption)

1. Plaintiff shall file legible/original/certified and clearer copies of exempted documents, compliant with practice rules, before the next date of hearing.
2. The application for exemption is allowed, subject to the plaintiff granting inspection of the documents filed, as and when required to do so, or filing the original documents at the stage of admission/denial.
3. The application stands disposed of.

I.A. 8002/2025 (under Section 5 of Limitation Act read with Section 151 CPC, 1908 for condonation of delay in refilling the suit)



4. For the reasons stated in the application, delay in re-filing the suit stands condoned.

5. In view of the aforesaid, the application stands disposed of.

CS(OS) 197/2025

6. Heard.

7. The instant civil suit is for the following relief:-

- a) *"Pass a decree of declaration in favour of the plaintiffs and against the defendant thereby declaring that as per the oral family settlement as arrived between the parties to suit, the plaintiffs are the owner of the suit property bearing Flat no.E-701, Shri Sai Baba Apartment, Sector-9, Rohini, Delhi.*
- b) *pass a decree of mandatory injunction in favour of the plaintiff and against the defendant thereby directing the defendant to relinquish the share of defendant in favour of plaintiffs in the suit property bearing Flat no.E-701, Shri Sai Baba Apartment, Sector-9, Rohini, Delhi as per the oral family partition/settlement.*
- c) *pass a decree of permanent injunction in favour of the plaintiff and against the defendant thereby restraining the defendant her attorney, agent, servant, successor, heirs etc, from creating any kind of third party interest in the suit property bearing Flat no.E-701, Shri Sai Baba Apartment, Sector-9, Rohini, Delhi in any manners as per the oral family partition/settlement.*
- d) *award cost of the present suit in favour or the plaintiffs and against the defendant."*

8. Issue summons.

9. Mr. Deepak Biswas, learned counsel for the defendant, accepts summons. He confirms the receipt of the suit paper book and waives the right of formal service of summons. Written statement shall be filed within thirty days commencing from today. Along with the written statement(s), the defendant(s) 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.



10. Liberty is given to the plaintiff to file replication(s) within 15 days of the receipt of the written statement(s). Along with the replication(s), if any, filed by the plaintiff, affidavit(s) of admission/denial of documents of the defendant(s), be filed by the plaintiff, without which the replication(s) shall not be taken on record. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.

11. List before the Joint Registrar for marking of exhibits on 11.08.2025.

12. It is made clear that any party unjustifiably denying documents would be liable to be burdened with costs.

13. List before the Court for framing of issues thereafter

I.A. 7999/2025 and I.A. 8000/2025

14. Heard.

15. Issue notice.

16. Mr. Deepak Biswas, learned counsel for the defendants accepts notice and prays for time to file replies to the instant applications.

17. Let the same be done within a period of two weeks.

18. Let a rejoinder, if any, be filed by the plaintiff, within a period of two weeks thereafter.

19. List on 22.07.2025.

PURUSHAINDR KUMAR KAURAV, J

MARCH 27, 2025/DPA/MJO

Click here to check corrigendum, if any