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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 550/2018, CM APPL. 28081-28082/2018, 2066/2019,
11579/2024, 31135/2024 & 72968/2024

JIA LAL BAJAJ

.....Appellant

Through: Mr. Mohit Chaudhary, Mr. Kunal Sachdeva, Ms. Vaishali Shukla, Ms. Isha Virmani, Advocates.

versus

KEWAL KRISHAN MANCHANDA & ORS

.....Respondents

Through: Mr. Rajnish Kumar Jha, Advocate for R-1 and 2.

Ms. Priya Hingorani, Sr. Adv. with Mr. Naseem Ahmed, Mr. Aditya Bajaj, Advocates for R-3.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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12.12.2024

CM APPL. 72968/2024 (for permission to file rejoinder)

1. Respondent No. 3 has filed this application seeking permission to file a rejoinder to the reply filed by appellant in CM APPL. 31135/2024.
2. For the reasons stated, the application is allowed and respondent No. 3 is permitted to file a rejoinder to the appellant's reply dated 13.08.2024.
3. The rejoinder filed by respondent No. 3, is taken on record.

RFA 550/2018, CM APPL. 28081-28082/2018, 2066/2019, 11579/2024, 31135/2024

1. The appeal arises out of a preliminary decree dated 12.01.2018 passed in a partition suit. The preliminary decree was stayed by the first order in the appeal, passed on 18.07.2018.



2. Respondent No. 3 has now filed two applications – CM APPL. 11579/2024 and CM APPL. 31135/2024 with respect to the interim arrangements pending disposal of the appeal. The first application [CM APPL. 11579/2024] concerns one of the suit properties (22/A, *Ring Road, Lajpat Nagar-IV, New Delhi-24*), which, according to the applicant, has been rented out by the appellant. The second application [CM APPL. 31135/2024] is for an order of *status quo* in respect of all the suit properties.

3. The appellant, on the other hand, relies upon a purported will of the father of the parties dated 25.03.1981 by which property No. 22/A, *Ring Road, Lajpat Nagar-IV, New Delhi-24* was left to his children. It is contended that the will is signed by the other parties also. The children of the appellant, who are according to him, the beneficiaries of the property under the will, are not parties to the suit.

4. For the present, as their interest may be effected by any orders passed in these applications, learned counsel for the appellant is directed to serve copies of these applications upon the two alleged beneficiaries – Mr. Bharat Bajaj and Ms. Radhika Bajaj Jha, so that they may also make their submissions with regard to these applications on the next date of hearing.

5. Learned counsel for respondent Nos. 1 & 2/plaintiffs, will also take instructions as to the impleadment of the said two individuals in the suit.

6. List on 20.02.2025.

PRATEEK JALAN, J

DECEMBER 12, 2024/‘Bhupi’/AL/