



\$~31

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

+ **CS(OS) 412/2016**

MRS SHIVANI KHULLAR & ANR Plaintiffs

Through: Ms. Gurmeet Bindra, Advocate.

versus

MR SAMIR BAJPAI & ORS Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

09.05.2022

%

I.A. 7137/2022

In this pending partition suit, the plaintiffs have filed the present application under section 151 of the Code of Civil Procedure 1908, seeking a direction to M/s IIFL Securities Ltd., which entity is stated to be the successor-in-interest of M/s Karvy Stock Broking Ltd., which held the stock investments of deceased Col. Gopi Nath Bajpai, to submit a detailed list of stock holdings of the deceased and to also maintain *status quo*, in respect thereof, as was directed *vidé* order dated 19.09.2016.

2. Upon the averments contained in the application and the submissions made by Ms. Gurmeet Bindra, learned counsel for the plaintiffs, issue notice on the application, returnable 26th July 2022, the date already fixed.



3. Upon the plaintiffs taking requisite steps, let notice be issued to the non-applicants, by all permissible modes, including e-mail.
4. Let the notice indicate that reply, if required, be filed within 04 (four) weeks of service; rejoinder thereto, if any, be filed within 02 (two) weeks thereafter; with copies to the opposing counsel.
5. Ms. Bindra submits, that as a matter of fact, there cannot possibly be any opposition to the prayer made in the application, since the directions sought to IIFL Securities Ltd. are in the interest of all parties, so as to obtain the details of, and preserve the stock holdings that are part of the corpus/estate of the deceased.
6. In the meantime, it is directed that a copy of order dated 19.09.2016 be served by the plaintiffs upon M/s. IIFL Securities Ltd.
7. List on 26th July 2022, the date already fixed.

I.A. 7194/2022

8. By way of the present application under section 151 of the Code of Civil Procedure, 1908 the plaintiffs seek a direction to defendant No. 1 to comply with order dated 31.10.2019, whereby defendant No. 1 was required to file an affidavit in I.A.No. 9674/2019, disclosing the rent received for the Faridabad house after 19.03.2016.
9. Ms. Bindra submits that despite the direction made *vidé* order dated 31.10.2019 being reiterated *vidé* order dated 09.12.2019, defendant No. 1 has still not complied with the same.
10. In view of the above, it is directed that order dated 31.10.2019 as reiterated in order dated 09.12.2019, directing defendant No. 1 to file the requisite affidavit be complied with *positively and without demur* within 02 weeks, failing which defendant No. 1 shall be liable to pay



costs of Rs. 50,000/- (Rupees Fifty Thousand Only) to the Delhi High Court Legal Services Committee, within 01 week thereafter.

11. The application is disposed of in the above terms.
12. List on 26th July 2022, the date already fixed.

ANUP JAIRAM BHAMBHANI, J

MAY 9, 2022
ds