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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(OS) 528/2018  
SMT. ABHA GUPTA .....Plaintiff  
Through: Mr.Viney Sharma, Adv.

versus

SHRI RAVINDRA KUMAR GUPTA & ORS.....Defendants  
Through: Mr.Vikas Gautam, Adv. for D-1  
Mr.Vikas K. Bharti, Adv. for  
D-2, D-3, D-5 and D-6.  
Mr.V.K. Gupta  
andMs.Kaushiki Kashyap,  
Adv. for D-4 (through VC)

**CORAM:**  
**HON'BLE MR. JUSTICE NAVIN CHAWLA**

**ORDER**

**18.07.2024**

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**I.A. 353/2020**

1. By this application, the defendant no.3 wishes to add certain averments in paragraph no.17 of his written statement primarily elaborating on why he had executed the Relinquishment Deed dated 04.07.1997 in favour of his late father, namely, Sh.Ved Prakash Gupta.

2. In the written statement originally filed, paragraph no.17 thereof reads as under:

*“17. That the contents of the para under reply are admitted being matter of record. However, the answering defendant signed the Relinquishment Deed/other documents in good faith and believing that the same shall be executed separately by the remaining legal heirs before its registration.”*



3. The defendant no.3/applicant now wishes to add the following averments in the said paragraph:

*“The answering defendant had signed the Relinquishment Deed dated 04-07-1997 in favour of his father namely Sh. Ved Prakash Gupta who was heart patient and depressed, stuck in grief of the death of his wife, so as a mark of the respect for the father of the parties to consider him as owner of the property for his mental satisfaction. All the LR's excluding the defendant No. 1 to feel their father happy that after the death of his wife they were not fighting for the property, but obeyed his wishes. Thereby such Relinquishment Deed was signed with the sole understanding to feel their father mentally satisfied, secured as his living during his lifetime and feel him happy that after the death of his wife, he (father) was being taken care of by answering defendant and other legal heirs. Also further with understanding that only mutation of the property may be noted in favour of the father & after his death entire Rohini Property will be devolved/distributed among the LR's.*

*But the defendant No. 1 being the cunning person took the advantage of all the charity of the all LR's of Sh. Ved Prakash Gupta in form of execution of Relinquishment Deed dated 04-07-1997, got executed the Conveyance Deed in favour of the Sh. Ved Prakash Gupta with mala fide intention and later on defendant No. 1 & later on prepared the forged & fabricated Will in their favour to deprive the Rohini Property.”*

4. As the above averments are merely clarificatory and not in derogation of what is already stated in the paragraph no.17 of the written statement of the defendant no.3, I see no reason to disallow the present application. It may be noted that the predecessor Bench of this



Court, by its Order dated 28.02.2024, had also allowed the applications of the plaintiff and the defendant no.4 to amend the plaint.

5. The application is, accordingly, allowed.

6. Let an amended written statement be filed within a period of one week from today.

**CS(OS) 528/2018**

7. The learned counsel for the defendant no.1 submits that he has still not received the amended plaint.

8. Let a copy thereof be supplied to the learned counsel for the defendant no.1 during the course of the day.

9. Written statement to the amended plaint be filed within a period of 30 days.

10. List before the learned Joint Registrar (Judicial) on 4<sup>th</sup> October, 2024.

**NAVIN CHAWLA, J**

**JULY 18, 2024/ns/as**

*Click here to check corrigendum, if any*