

Jasvinder Kaur & Ors vs Manjeet Singh & Ors on 7 January, 2019

Author: Rajiv Sahai Endlaw

Bench: Rajiv Sahai Endlaw

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ CS(OS) 618/2016
JASVINDER KAUR & ORS. Plaintiffs
Through: Mr. Atul Nigam, Mr. Randhir Kumar
and Mr. Paritosh Jain, Advs.
versus
MANJEET SINGH & ORS Defendants
Through: Mr. Tarun Agarwal, Adv. for D-1, 2a,
2b & 2c.
Mr. Amit Singh Tanwar, Adv. for the
applicant Smt. Kamaljit Kaur.
CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW
ORDER

% 07.01.2019 IA No.10069/2018 of Smt. Kamaljit Kaur under Order I Rule 10 of the Code of Civil Procedure, 1908 (CPC).

1. Smt. Kamaljit Kaur seeks impleadment in this suit for partition of immovable properties and for ancillary reliefs.

2. Partition in this suit is claimed of,

(a) Property No.D-9, Green Park Main, New Delhi - 110 016.

(b) Shop No.G-87, Nehru Place, New Delhi.

(c) Property/House No.2568-69, Gali Naiwada, Delhi.

(d) Half share in property No.6295-97, Gali Batashan, Delhi.

(e) Property No.146, Gali Masjit Tehvar Khan, Naya Bans.

3. The counsel for the applicant Smt. Kamaljit Kaur and the counsel for the plaintiffs have been heard.

4. The counsel for the plaintiffs states that though the applicant Smt. Kamaljit Kaur on her pleas

would be a necessary party qua partition of CS(OS) 618/2016 page 1 of 2 Property/House No.2568-69, Gali Naiwada, Delhi and Half share in property No.6295-97, Gali Batashan, Delhi but has no share in the remaining properties.

5. Once the applicant Smt. Kamaljit Kaur is found to have a semblance of a share in two of the properties as per the plaintiffs also, she has to be impleaded as a party and in the pleadings qua the applicant Smt. Kamaljit Kaur in the suit, the respective stand with respect to share in different properties can be taken.

6. The application is thus allowed and disposed of. CS(OS) 618/2016 & IA No.15724/2016 (u/O XXXIX R-1&2 CPC).

7. Smt. Kamaljit Kaur is impleaded as defendant no.3 to the suit and to file written statement within 30 days hereof.

8. The counsel for the plaintiffs states that on the same parity as Smt. Kamaljit Kaur, her other sisters would also be a necessary party.

9. On oral request of the counsel for the plaintiffs, Ms. Narender Kaur and Ms. Chand Kaur are also impleaded as defendants no.4&5 to the suit.

10. Amended memo of parties be filed within one week.

11. The plaintiffs to take steps for service of the newly impleaded defendants no.4&5 by all modes including dasti , returnable before the Joint Registrar on 7th March, 2019.

RAJIV SAHAI ENDLAW, J JANUARY 07, 2019 'pp'..