

**IN THE COURT OF VIKAS DHULL, ADDITIONAL  
DISTRICT JUDGE-01, WEST, THC, DELHI**

**Civ.DJ No. \_\_\_/2020**

**Ms.Shivani Juneja & anr. Vs.  
Surinder Singh Juneja and anr.**

**THROUGH CISCO WEBEX VIDEO  
CONFERENCING**

**17.06.2020 (11.37 a.m. to 11.58 a.m.)**

**Fresh suit received by way of assignment vide order dated 16.06.2020 of the Ld.District & Sessions Judge, West, THC, Delhi on the court email ID and the same has been put before the undersigned by the Reader of this court through email. It be checked and registered.**

It is apprised today by the ahlmad of the court through Reader that hard copy of the Written Statement has been received today from the court of Ld.District & Sessions Judge, West, Delhi. However, hard copy of the suit alongwith annexures have not been received.

**Pr: Ms.Rhythm Sheel Srivastava, Ld.counsel for**



**plaintiffs.**

**(M.No.8447689629)**

**(Email ID: advocaterhythm12@gmail.com)**

**Sh.Digvijay Singh, Ld.counsel for defendants.**

**(M.Nos. 9313563111 and 9312563111)**

**(Email ID: adv\_digvijaysingh@yahoo.com)**

Today, it is submitted by Id.counsel for plaintiffs that she will file the hard copy of the suit alongwith annexures before the Filing Section, West, THC, Delhi within 4-5 days.

**Remaining arguments on the pending interim injunction application heard today.**

Ld.counsel for defendants has submitted during the course of arguments that plaintiffs have got no locus standi to file the present suit for partition as they have got no right, title or interest in the suit property.

It was further submitted that defendant no.1 is the registered owner of the suit property by way of a registered sale deed executed in 2006 by the father of





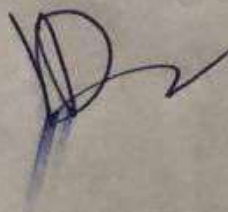
defendant no.1 and deceased husband of plaintiff no.2.

It was further submitted that since defendant no.1 is the registered owner of the suit property, therefore, plaintiffs have got no right, title or interest to seek partition of the suit property. Accordingly, he has made a prayer for dismissal of interim injunction application whereby directions were sought to restrain defendants not to create third party interest in the suit property during the pendency of this case.

At this stage, Id.counsel for plaintiffs has submitted that plaintiffs and defendants were staying in the suit property and defendant no.1 never disclosed to the plaintiffs about registered sale deed executed by grandfather of plaintiff no.1 and said registered sale deed has been obtained by fraud.

It is further submitted by plaintiff's counsel that apart from this fact, certain other facts need to be brought on record and accordingly, plaintiffs would need to amend the plaint to challenge the sale deed obtained by fraud by defendant no.1.

It is further submitted by her that at this stage, she

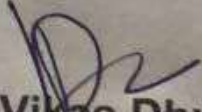


is not pressing her pending interim injunction application.

In the light of submission made by Id.counsel for plaintiffs, **the matter is adjourned to 18.07.2020 for the purpose of taking of steps by plaintiffs for amending the plaint.** In case, plaintiffs intend to amend the plaint, then Id.counsel for plaintiffs is directed to supply advance copy of the application for amendment of the plaint to Id.counsel for defendants through email at least a week prior to the next date of hearing.

**Put up on 18.07.2020 for further proceedings.**

A copy of order be sent to the Id.counsel for plaintiffs and Id.counsel for defendants through email / whatsapp.

  
(Vikas Dhull)  
ADJ-01, WEST  
THC, DELHI  
17.06.2020