

\$~26

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

+ I.P.A. 3/2016

HEMA & OTHERS

..... Plaintiffs

Through: Mr. Sajan Kumar Singh, Advocate.

versus

RAM KARAN & OTHERS

..... Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **08.03.2016**

1. In view of the two judgments passed by this Court in the cases of *Sunny (Minor) & Ors. vs. Sh. Raj Singh & Ors.*, 225 (2015) DLT 211 and *Sh. Surender Kumar vs. Sh. Dhani Ram and Others*, CS(OS) No.1737/2012 decided on 18.01.2016, counsel for the plaintiff prays for liberty to withdraw the suit so as to file a fresh suit of course if there exists and pleaded a proper cause of action of how the plaintiffs have a right in the immovable properties on the ground that the properties are HUF properties. Of course, I may note and as noted in the abovesaid judgments that inheritance of ancestral properties after 1956 will not mean that on account of inheritance the properties become HUF properties.

2. Suit is accordingly dismissed as withdrawn with the aforesaid liberty and observations.

VALMIKI J. MEHTA, J

MARCH 08, 2016

Ne

I.P.A. No.3/2016

page 2 of 2