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**IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(OS) 620/2022 and I.A. 16465/2022, I.A. 4462/2023, I.A.
4523/2023, I.A. 13263/2023**

MRS. REEMU S. BHABI

..... Plaintiff

Through: Mr. Sanyukta Gupta, Adv. (M:
7678674353)

versus

MR. BINU SETH & ORS.

..... Defendants

Through: Mr. Imran Ali, Mr. Muzakkir Zama
Khan & Ms. Achhal Bumb, Adv. for
D-1 & 3. (M:9212696986)
Mr. Satish Sahai, Adv. for D-4 & 5.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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31.05.2024

1. This hearing has been done through hybrid mode.
2. The present suit has been filed seeking partition and other ancillary reliefs in respect of family property known as '**Jagat Cinema admeasuring approximately 1100 square yards, situated at Municipal No.3911-12, at Jama Masjid [Municipal Ward-XI], Delhi**' (hereinafter, '*suit property*'). As per the plaint, the Plaintiff along with the Defendants Nos. 1, 2 and 3 are the joint owners of the suit property, having inherited the said property from their grandfather, late Shri Shankar Das Seth.
3. Vide order dated 11th October, 2022, this Court granted *ex-parte* relief in the following terms to the Plaintiff:

"12. It is the case of the plaintiff that the defendant no.1 is seeking to create third party rights in respect of the suit property to the prejudice of the plaintiff.

....

17. A prima facie case is made out on behalf of the plaintiff. Consequently, till the next date of hearing,



status quo with regard to title and possession shall be maintained by the parties in respect of the suit property.”

4. On 16th May, 2024, parties moved a joint application seeking modification of the *status quo* order and permission to execute the sale deed.

The same was considered by the Court and the following order was passed:

“5. Heard. Considering that the Defendants have no objections, the status quo order dated 11th October, 2022 is modified to the extent that the Plaintiff is permitted to execute the sale deed in respect of her share in the suit property in favour of the buyer. Let the sale deed be executed and a copy be placed before the Court on the next date.

6. Further, let the parties report on the status of the settlement on the next date. It is made clear that if there is no sale or purchase of the Plaintiff's share till 30th May, 2024, then the status quo order dated 11th October, 2022 shall become operative.”

5. Today, parties have reported that the sale deed dated 28th May, 2024 has been executed by the parties i.e., Smt. Reemu Seth Bhambi and Sh. Mukesh Kumar Gupta and the consideration has also been received by the Plaintiff. In view thereof, the Plaintiff seeks to withdraw the present suit. The suit is dismissed as withdrawn.

6. The interim order dated 11th October, 2022 now stands vacated.

7. The copy of the sale deed is taken on record, let it be scanned and maintained with the electronic record of the Court.

PRATHIBA M. SINGH, J.

MAY 31, 2024

dj/bh