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

+ **CS(OS) 738/2014 and I.A. 4711/2014, 4712/2014**

POONAM DEVI

..... Plaintiff

Through: Mr. Pranav Jain, Adv. (9873333064)

versus

NEERAJ YADAV & ORS

..... Defendants

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **29.04.2024**

1. This hearing has been done through hybrid mode.
2. The present suit has been filed by the Plaintiff-Ms. Poonam Devi *inter alia* seeking a decree of partition and permanent injunction in favour of the Plaintiff for the following properties (*hereinafter, 'suit properties'*):-

*“i) HOUSE NO.4, IN FRONT OF KRISHNA MANDIR,
MAIN NAJAFGARH ROAD, NANGLOI, DELHI-
110044 AREA MEASURING 800 SQ.YDS.*

*ii) PLOT NO. F-1, NEAR HERO SHOWROOM,
RAJENDRA PARK, HONDA LAKRI MARKET, MAIN
ROHTAK ROAD, NAGLOI,, DELHI-110041 AREA
MEASURING 799 SQ.YDS.*

*iii) PLOT NO. F-99, NEAR HERO SHOWROOM,
RAJENDRA PARK, HONDA LAKRI MARKET, MAIN
ROHTAK ROAD, NANGLOI, DELHI-110041 AREA
MEASURING 800 SQ.YDS.*



iv) HOUSE NO.2/87, KHASRA NO.14/16, VEENA ENCLAVE, NANGLOI, DELHI, AREA MEASURING 100 SQ.YDS.

v) PLOT NO.27/11-B, RAJENDRA PARK EXTN.- 05, NEAR GANDA NALA, KAMRUDDIN NAGAR, RAJENDRA PARK, DELHI-110041 MEASURING 125 SQ. YDS. AREA.”

3. According to the Plaintiff, she was the second wife of late. Sh. Ashwani Kumar residing at A-70, Veena Enclave, Ratan Park, Nangloi, New Delhi. Further, it is stated that the Plaintiff got married to Late Sh. Ashwani Kumar on 31st December, 2004, after the death of his first wife Smt. Kanta Devi. The Defendants in this case are the children of late Sh. Ashwani Kumar through his first wife.

4. It is submitted by the Id. Counsel for the Plaintiff that the suit is at the stage of evidence. However, the Plaintiff has passed away intestate on 18th August, 2022. According to Id. Counsel, the Plaintiff does not have any legal heir.

5. In this view of the matter, the suit itself would abate.

6. The suit is dismissed as such. Pending applications also stand disposed of as having become infructuous.

PRATHIBA M. SINGH, J

APRIL 29, 2024

A/RKS