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

+ CS(OS) 113/2025 with I.A. 4693/2025, I.A. 4694/2025 and I.A. 4695/2025

AAHAN ANAND (MINOR) THROUGH
HIS MOTHER PRIYANKA

.....Plaintiff

Through:
versus

RISHABH ANAND & ORS.

.....Defendants

Through: Ms. Rakhi Dubey, Advocate for D-1.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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31.07.2025

1. The present suit has been filed seeking partition of the suit properties along with other ancillary reliefs.
2. The suit is premised on the fact that the suit properties are HUF properties belonging to the grandfather of the plaintiff, Late Shri Dr. Ishwar Chand Lal. The plaintiff, aged about 11 years, is the minor son of the defendant no.1 and grandson of the defendant no.2. The plaintiff being a member of the HUF claims rights in the suit properties.
3. A detailed order was passed by the predecessor bench on 6th May, 2025, the relevant extracts of which are set out below:

"2. She states that Property-E: L-1776, DDA Flats, 1st Floor, Kalkaji, Opp. Kaveri Apartment, Delhi 110019, is an immovable property owned by the in-laws of the sister of defendant no. 1 and does not belong to either of the parties to the suit.

3. She states that Property-A: A-31, 2nd Floor, Sector-8, Dwarka, New Delhi-110077, is the self-acquired property of defendant no. 2.

4. She states that Property-B: Unit No. L15-06-FF, Park Elite



Floors, Parklands, Faridabad, Haryana, is a property jointly owned by defendant nos. 1 and 2.

5. *She states that Property-C and Property-D are located in Bihar, and are subject matter of disputes. She states that as and when disputes are resolved, the said properties will devolve upon the estate of Late Sh. Ishwar Chand Lal.*

6. *She further states that there exists no Hindu Undivided Family (HUF) as alleged in the plaint.*

7. *She states that in view of these facts; the present suit is without any cause of action and is liable to be dismissed.*

8. *Learned counsel for the plaintiff states that plaintiff has no title document to show that Property-E belongs to the defendants. She states that since the said address was used by defendant no. 1 for correspondence, plaintiff presumed it forms part of the estate of Late Sh. Ishwar Chand Lal.*

9. *This Court has considered the submissions of the parties.*

10. *In view of the fact that the Property-E at Kalkaji does not belong to either of the parties to the suit and Property-A at Delhi is the personal selfacquired property of defendant no. 2 and does not form part of the estate of Late Sh. Ishwar Chand Lal, the said properties have to be deleted from the scope of the suit.*

11. *The remaining Properties C and D are situated in Bihar and are not within the territorial jurisdiction of this Court. Thus, this suit cannot be entertained.*

12. *Learned counsel for the plaintiff shall address submissions in this regard on the next date of hearing. She is directed to file her written submissions within two (2) weeks."*

4. *None appears on behalf of the plaintiff today.*

5. *In light of the aforesaid observations, it appears that the plaintiff does not wish to pursue the present suit.*

6. *The suit is accordingly dismissed for non-prosecution.*

7. *All pending applications stand disposed of.*

AMIT BANSAL, J

JULY 31, 2025

Vivek/-