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

+ CS(OS) 445/2021 & I.A. 12135/2021

MR. RAJESH JAINPlaintiff

Through: Mr. Atul Singh, Advocate with
plaintiff in person

versus

MR. JITENDER JAIN & ORS.Defendants

Through: Mr. Lalit Gupta, Mr. Priyansh Jain,
Mr. Anmol, Advs. for D-1 with D-1
in person

Mr. Harshit Jain, Mr. Deepak Yadav,
Mr. Rahul Kumar, Advocates for D-2
Mr. Dev Raj Sharma, Ms. Shilpi,
Advocates for D-4 with D-4 in person

14

+ CS(OS) 456/2023 & I.A. 35263/2024

PANKAJ JAINPlaintiff

Through: Mr. Dev Raj Sharma, Ms. Shilpi,
Advocates

versus

JITENDER JAIN (HUF) & ORS.Defendants

Through: Mr. Lalit Gupta, Mr. Priyansh Jain,
Mr. Anmol Ghai, Advs. for D-1 & 2
with D-2 in person

Mr. Harshit Jain, Mr. Deepak Yadav,
Mr. Rahul Kumar, Advocates for D-3

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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08.05.2025

CS(OS) 445/2021

1. Plaintiff, defendant no. 1, defendant no. 2 and defendant no. 3 are present in Court and are identified by the learned counsel for the plaintiff as

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well as defendants.

2. It is stated that plaintiff and defendant no. 2 have sold their 1/3rd share each in property bearing no. 2683-84, Sadar Thana Road, New Delhi-110006 ('Sadar Thana property') to defendant no. 1 vide registered lease deed dated 28.01.2025 for valuable consideration, which has been duly received.

3. It is stated that plaintiff and defendant no. 2 have sold their 1/6th share each in the property bearing no. 151, Veer Nagar, Jain Colony, New Delhi-110007 ('Veer Nagar property') to defendant no. 1 vide registered lease deed dated 01.05.2025 for valuable consideration, which has been duly received.

4. It is stated that defendant no. 3, the sister of the plaintiff, defendant no. 1 and defendant no. 2 had already relinquished her share in both these properties vide separate relinquishment deed dated 21.02.2006 and 14.02.2023 respectively and as such she is left with no right, title, or interest in the suit properties.

5. It is stated that since the subject matter of this suit was only the partition of the two (2) immovable properties, the cause of action of the plaintiff as well as defendant nos. 1 and 2 stands satisfied and, therefore, the plaintiff seeks liberty to unconditionally withdraw the present suit.

6. Defendant nos. 1, 2 and 3 also state that since their claims also qua the two (2) immovable properties stand satisfied, they as well have no objections to the suit being withdrawn.

7. Parties in fact state that all their inter-se claims with respect to estate of their parents i.e., late Shri Ajit Prasad Jain and late Smt. Trishla Jain stand settled between the parties and there are no claims left against each other.

8. In view of the above, satisfaction of the claims, the suit is disposed of

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after recording that all claims between the parties stand satisfied.

9. Pending applications, if any, stand disposed of.

10. Interim order stands vacated.

11. Future dates stand cancelled.

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12. Learned counsel for the plaintiff states that subject matter of this suit is property bearing no. 151, Veer Nagar, Jain Colony, New Delhi-110007 ('Veer Nagar property').

13. He states that plaintiff has 25% share in the suit property and 25% share is owned by defendant no. 1, Jitender Jain HUF.

14. He states that since the remaining 50% share now vests with defendant no. 2 by virtue of the release lease deed dated 01.05.2025, there is no inter-se disputes remaining between the plaintiff, defendant nos. 1, 2, 3 and 4. It is a matter of record that the plaintiff and defendant no. 2 are the members of defendant no. 1 HUF.

15. He as well state that claims agitated in this suit stand satisfied and he as well seeks liberty to withdraw the present suit.

16. The present suit as well is disposed of withdrawn recording that the claims of the plaintiff stand satisfied.

17. Pending applications, if any, stand disposed of.

18. Interim order stands vacated.

19. Future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

MAY 8, 2025/mt/MG

Click here to check corrigendum, if any

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