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

\# **CNR No. DLHC010463662026**

\+ C.R.P. 293/2026 & CM APPL. 66790/2026 CM APPL. 66791/2026

ANIS-UR REHMAN & ANR. .....Petitioner

Through: Mr. Vishal Khanna and Mr. Nitish Pathania, Advs.

versus

ANISA BEGUM .....Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 29.10.2026

1. This petition has been filed seeking setting aside of impugned order dated 02nd September 2026, passed by the District Judge, Central District, Tis Hazari Courts, Delhi in *CS DJ/873/2022*, whereby application filed by the petitioner/defendant no.1 under Order VII Rule 11 of the Code of Civil Procedure, 1908 ['***CPC***'], was rejected.

2. The suit in question has been filed by plaintiff/respondent, who was married to *late Hafiz-Ur-Rehman*, brother of the petitioner/defendant no. 1. *Hafiz-Ur-Rehman* passed away on 09th January 1995. The plaint claims that a family settlement took place between the two brothers in 1999, whereby four properties bearing registration nos. *494, Phase-I, Shahzada Bagh, Inder Lok, Delhi-110035*; *Plot no. 374, Phase-I, Shahzada Bagh, Inder Lok, Delhi-110035*; *A-2/11, MIG Flats, DDA Sarai Khalil, Delhi-110006*; and *B-3/21B, DDA Flat, Inder Lok, Delhi-110035* fell into the share of *Hafiz-Ur-Rehman*,

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and the other five properties bearing registration nos. *194, Phase-II, Shahzada Bagh, Inder Lok, Delhi-110035*; *A-2/12, MIG Flats, DDA Flat, Sarai Khalil, Delhi-110006*; *B-7/52, DDA Flat, Inder Lok, Delhi-110035; Shop No.25*, *Inder Lok Cooler Market, Inder Lok, Delhi-110035*; and *Shop No.26, Inder Lok Cooler Market, Inder Lok, Delhi-110035* fell into the share of petitioner/defendant no.1, *Anis-Ur-Rehman*. The said family arrangement had initially been an oral settlement, which was later reduced into writing. The plaint further recorded that as per this family settlement, plaintiff/respondent became the exclusive owner of the aforesaid properties after the death of her husband and that she is living in one of the properties, at *494*, *Phase-I*, *Shahzada Bagh, Inder Lok, Delhi*, along with her two minor daughters. She has, however, claimed constructive possession of the rest of the properties

3. It was further claimed that there was a subsequent intrusion by petitioner/defendant no.1 in 2015-2016 and, thereafter, in 2021.

4. It was further stated that a memorandum of understanding ['***MoU***'] dated 16th December 2021 was arrived at, which was also filed by petitioner/defendant no.1 before this Court in *W.P.(Crl.) 2606/2021*. Apart from this, some other documents had also been placed on record by plaintiff/respondent.

5. Petitioner/defendant no.1 states that the plaint ought to have been rejected on the grounds of valuation, pecuniary jurisdiction and Court Fees.

6. These aspects have been dealt with in the impugned order, which notes that the suit was valued for the sake of mandatory injunction and that plaintiff/respondent was not claiming possession. As regards the valuation of the property, the same would ultimately be considered by the Trial Court, if any arises in that regard.

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7. Having considered the impugned order, the Court does not find any reason to interfere with the same in its revisional jurisdiction or to substitute any view.

8. The Court does not find any material irregularity in the said order and, therefore, the petition stands rejected.

9. Accordingly, the petition is dismissed.

10. Pending applications, if any, are rendered infructuous.

11. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 29, 2026/MK/ya

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