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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 1224/2025 & I.A. 28312/2025, I.A. 28313/2025, I.A.
4012/2026, I.A. 5593/2026

MAHESH VIJAYAGOPAL

.....Plaintiff

Through: Mr. Samar Bansal, Mr. Vipul Kumar
and Mr. Prajwal Tiwari, Advs.
Mob: 9811030089
Email: vipul@vklawchambers.com

versus

DEDHA INDIA HR SOLUTIONS PVT. LTD. & ORS.

.....Defendants

Through: Mr. Rajiv K. Garg, Mr. Ashish Garg,
Mr. Govind Singh and Mr. Shivam,
Advocates for D-1, 2 and 3.
Mob: 9711735601
Email: gargrajiv26@yahoo.co.in

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
19.03.2026

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1. When the present matter was listed before this Court on 24th February,
2026, the following order came to be passed:

“xxx xxx xxx

1. *Learned counsel for the plaintiff submits that the plaintiff represents not only himself but also the interest of other co-owners of the suit property, i.e., bearing Flat No. 410, Prakash Deep Building, situated at 7, Tolstoy Marg, New Delhi, i.e., Mr. Rajesh Vijayagopal (his brother), Mr. Sanjay Vasu (his cousin), who is the son of the brother of his father and Ms. Sukunda Vasu (wife of late brother of his late father).*



2. *He has drawn the attention of this Court to the General Power of Attorney ("GPA") having been filed by Mr. Rajesh Vijayagopal, Mr. Sanjay Vasu and Ms. Sukunda Vasu, wherein, they have given their Power of Attorney in favour of the plaintiff herein.*

3. *Learned counsel for the plaintiff has also drawn the attention of this Court to the affidavit of service to submit that other co-owners of the suit property have also been served.*

4. *This Court notes that the lease deed of the defendants has already expired on 31st May, 2016. Further, the rent for the last three years, till 31st December, 2025, has been deposited before this Court.*

5. *Accordingly, it is clear that the defendants have no right, as such, for any further continuation of the possession of the suit property, as they had admitted the tenancy of late Mr. B.S. Krishnamurthy and Smt. Sudershan Krishnamurthy, from whom the plaintiff claims his right as Class-II legal heir.*

6. *Accordingly, learned counsel for the defendants is directed to bring the key of the premises on the next date of hearing and the Court shall pass appropriate orders, in that regard, on the next date of hearing.*

7. *However, since other three co-owners are not before this Court, therefore, in order to secure the rights of the defendants, it is directed that the plaintiff shall file an Affidavit of Indemnity before this Court, thereby, indemnifying defendants from any future litigation or any claim by any of the co-owners.*

8. *Further, the plaintiff shall also file an affidavit clearly stating that he is acting on behalf of other co-owners, as well.*

9. *It is clarified that any order that may be passed by this Court, in favour of the plaintiff, shall be subject to and keeping open the rights of the other three co-owners in the suit property.*

10. *Let the requisite affidavits be filed by the plaintiff before the next date of hearing.*

11. *List for consideration on 19th March, 2026.*

xxx xxx xxx"

2. Pursuant to the aforesaid order, the plaintiff has filed an affidavit with regard to indemnifying the defendants and also stating that they are pursuing the present suit on behalf of the other co-owners, as well. The Affidavit of Indemnity dated 15th March, 2026 as filed on behalf of the plaintiff, is



reproduced as under:

AFFIDAVIT OF INDEMNITY AS PER ORDER DATED 24-02-2026

I, Mr. Mahesh Vijayagopal, s/o. Late B.S. Vijayagopal, aged about 61 years, Resident of D-82 Anand Niketan, South Campus, South West, Delhi 110021, the Plaintiff in the present Suit, do hereby solemnly affirm and declare as under:-

1. I am the Plaintiff in the captioned Suit and am competent to solemnly affirm and declare this Affidavit. I confirm that the facts stated in the Plaint and herein are true to my knowledge and belief, and nothing has been suppressed from this Hon'ble Court.

2. I repeat, reiterate and confirm that I am the co-owner, along with three other co-owners of the suit property bearing Flat No.

410, Prakash Deep Building, situated at 7, Tolstoy Marg, New Delhi (hereinafter referred to as the "Suit Property").

3. The other co-owners of the Suit Property, details of which have been set out in the Plaint, are:

- (a) Mr. Rajesh Vijayagopal (my brother);
- (b) Mr. Sanjay Vasu (my cousin, son of the brother of my father); and
- (c) Ms. Sukunda Vasu (wife of the late brother of my late father).



4. Mr. Rajesh Vijayagopal has executed a General Power of Attorney dated 1st August 2024 (Document 13 in the Suit) in my favour, and Mr. Sanjay Vasu and Ms. Sukunda Vasu have each executed Affidavits dated 22nd August 2025 (Document 18 in the Suit), *inter alia*, authorising me to act on their behalf in respect of the Suit Property, including granting me full authority to file the present Suit.

5. I have filed the present Suit and am entitled to pursue the same in my own capacity as well as on behalf of, and in the interest of, the other co-owners.

6. In compliance with the Order dated 24.02.2026 passed by this Hon'ble Court, I hereby undertake to irrevocably indemnify and



keep indemnified the Defendants and each of them, their successors, assigns, and legal heirs, from and against:

- (a) any and all claims, demands, suits, actions, or proceedings that may hereafter be instituted by any of the other co-owners, viz. Mr. Rajesh Vijayagopal, Mr. Sanjay Vasu, or Ms. Sukunda Vasu, or by any person claiming through or under them, in relation to the Suit Property or arising out of any order passed by this Hon'ble Court in the present Suit;
- (b) any and all costs, losses, expenses, or damages that the Defendants may suffer or incur as a direct or indirect consequence of any such claim, demand, or proceeding initiated by any of the other co-owners; and



(c) any and all future litigation or claims arising out of, or in connection with, any order passed in the present matter, including any order for delivery of possession of the Suit Property.

7. I further undertake that in the event any of the other co-owners raises any dispute, claim, or objection in respect of the Suit Property or in respect of any order passed in the present Suit, I shall take all necessary steps, at my own cost, to defend the Defendants and to ensure that they are not prejudiced in any manner whatsoever.

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8. I hereby confirm that I am duly authorised by the other co-owners to represent their interests and act on their behalf in the present Suit.


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3. One of the co-owners, i.e., the brother of the plaintiff, Mr. Rajesh Vijayagopal, has also joined through video conference and he confirms the fact that the present suit is being pursued by his brother, i.e., the plaintiff on his behalf also, and that his interest is being taken care of. Learned counsel appearing for the plaintiff identifies Mr. Rajesh Vijayagopal, brother of the plaintiff.

4. This Court also takes note of the submission made by learned counsel appearing for the plaintiff that the other co-owners, i.e., Mr. Sanjay Vasu and Ms. Sukunda Vasu, have also executed an affidavit each in favour of the plaintiff, authorizing the plaintiff to act on their behalf with respect to the



suit property.

5. The affidavits of Mr. Sanjay Vasu and Ms. Sukunda Vasu are on record before this Court and filed as *Document-18* of the documents filed by the plaintiff, along with the plaint.

6. The affidavit of Mr. Sanjay Vasu, reads as under:

AFFIDAVIT OF SHRI SANJAY VASU

I, Shri. Sanjay Vasu, son of late Shri B.S. Vasu, aged 59 years, residing at 1636 Seavyside Avenue, San Marcos, CA 92078 USA, (bearing PP no. 581977549), copy-attached) do hereby solemnly affirm and declare as under:-

1. That I am the son of Late Shri B.S. Vasu and the nephew of Late Smt. Sudershan Krishnamurthy. Upon the demise of my father on 2nd January 2025, I and my mother, Smt. Sukunda Vasu, became his legal heirs. My father was the brother of Late Shri B.S. Krishnamurthy and brother-in-law of Late Smt. Sudershan Krishnamurthy. I confirm that the application for our substitution in P.C. No. 8/2017 has been filed solely for the limited purpose of recording our status as legal heirs of Late Shri B.S. Vasu. I do not seek to make any claim or participate in any proceedings concerning the estate of Late Smt. Sudershan Krishnamurthy, and I fully affirm and consent to the pending petition being continued and determined without my active involvement, including the grant of Letters of Administration in favour of Shri Mahesh Vijayagopal.
2. That Late Smt. Sudershan Krishnamurthy is stated to have left behind the following assets, forming part of her estate:
 - (i) Residential property located at D-82, Anand Niketan, South Mohi Bagh, New Delhi 110021;
 - (ii) Commercial flat no. 308 Ansal Bhuvan, New Delhi;
 - (iii) CPS no. 2 at GF Ansal Bhuvan, New Delhi;
 - (iv) Commercial flat no. 410, Prakash Deep Chambers, Tolstoy Marg, New Delhi;
 - (v) SB AA: 0994000100079656 and locker no. 267 at PNB, New Delhi.



3. That I am residing permanently in the United States of America and am not in a position to participate in any court or legal proceedings in India. I am well-settled, financially independent, and have no intention or desire to claim any share or interest in the estate of Late Smt. Sudershan Krishnamurthy. I hereby voluntarily, unconditionally, and irrevocably disclaim and renounce any and all rights, title, interest, and claims that I may

have, whether present or future, in the estate of Late Smt. Sudershan Krishnamurthy, including any share that may have devolved upon me as legal heir of Late Shri B.S. Vasu. I confirm that I do not wish to be involved in any legal proceedings in respect of the estate. This affidavit may be relied upon by Shri Mahesh Vijayagopal in any present or future legal, judicial, or administrative proceedings concerning the estate of Late Smt. Sudershan Krishnamurthy, for the purpose of recording my renunciation, in his favour, of all rights, claims, and interests in the said estate, including any rents, dues, or entitlements arising therefrom.

4. That I hereby authorize Shri Mahesh Vijayagopal to submit this affidavit and take such steps as may be necessary for the limited purpose of facilitating the grant of Letters of Administration in respect of the estate of Late Smt. Sudershan Krishnamurthy. This includes filing of this affidavit before the Hon'ble Court at Patiala House, New Delhi and with other concerned authorities. I further state that I have no claim, right, title, or interest whatsoever in any of the properties forming part of the estate, and I have no objection to Shri Mahesh Vijayagopal taking such steps as may be required before the Delhi Development Authority (DDA), New Delhi Municipal Council (NDMC), Land & Development Office (L&DO), Sub-Registrar, or any other competent authority, for the purpose of giving effect to my renunciation and facilitating the lawful transfer, mutation, or regularization of the said properties in accordance with applicable law.



5. That I shall not be liable in any manner whatsoever for any present or future liability, tax demand, expense, or obligation arising out of or connected with the estate of Late Smt. Sudershan Krishnamurthy. This affidavit may be relied upon by Shri Mahesh Vijayagopal in any present or future legal, judicial, or administrative proceedings concerning the said estate, for the purpose of confirming that the responsibility for handling any such liabilities, taxes, expenses, or obligations shall rest with him or such person(s) as he may designate in accordance with law. This affirmation is made to avoid any misunderstanding or claim of liability against me in connection with the estate.
6. That I hereby state that I have no objection to the grant of Letters of Administration in favour of Shri Mahesh Vijayagopal, and I expressly consent to the same. I further confirm that I shall not, at any future date, raise any objection, claim, or challenge to the said grant or to any proceedings relating to the administration of the estate of Late Smt. Sudershan Krishnamurthy.
7. That I fully understand the legal consequences of this disclaimer and renunciation, and I confirm that I have executed this affidavit voluntarily, without any coercion, undue influence, or pressure from any person. I am executing this disclaimer with full knowledge of my legal rights, and it is made finally and irrevocably.
8. That this affidavit has been executed before a Notary Public in the United States of America and shall be duly apostilled in accordance with the Hague

Convention, so as to be valid and operative for use before Indian courts and authorities.


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7. The affidavit filed on behalf of Ms. Sukunda Vasu, is reproduced as under:

AFFIDAVIT OF SMT. SUKUNDA VASU

I, **Smt. Sukunda Vasu**, wife of late **Shri B.S. Vasu**, aged 90 years, residing at 1636 Sunnyside Avenue, San Marcos, CA 92078 USA, (bearing PP no. 536749346, copy attached) do hereby solemnly affirm and declare as under:-

1. That I am the wife of Late **Shri B.S. Vasu** and the co-sister of Late **Smt. Sudershan Krishnamurthy**. Upon the demise of my husband on 2nd January 2025, I and my son, **Shri. Sanjay Vasu** became his legal heirs. My husband was the brother of Late **Shri B.S. Krishnamurthy** and brother-in-law of Late **Smt. Sudershan Krishnamurthy**. I confirm that the application for our

substitution in P.C. No. 8/2017 has been filed solely for the limited purpose of recording our status as legal heirs of Late **Shri B.S. Vasu**. I do not seek to make any claim or participate in any proceedings concerning the estate of Late **Smt. Sudershan Krishnamurthy**, and I fully affirm and consent to the pending petition being continued and determined without my active involvement, including the grant of Letters of Administration in favour of **Shri Mahesh Vijayagopal**.

2. That Late **Smt. Sudershan Krishnamurthy** is stated to have left behind the following assets, forming part of her estate:
 - (i) Residential property located at D-82, Anand Niketan, South Moti Bagh, New Delhi 110021;
 - (ii) Commercial flat no. 308 Ansal Bhavan, New Delhi;
 - (iii) CPS no. 2 at GF Ansal Bhavan, New Delhi;
 - (iv) Commercial flat no. 410, Prakash Deep Chambers, Tolstoy Marg, New Delhi;
 - (v) SB A/c 0994000100079656 and locker no. 267 at PNB, New Delhi.



3. That I am residing permanently in the United States of America and am not in a position to participate in any court or legal proceedings in India. I am well-settled, financially independent, and have no intention or desire to claim any share or interest in the estate of Late Smt. Sudershan Krishnamurthy. I hereby voluntarily, unconditionally, and irrevocably disclaim and renounce any and all rights, title, interest, and claims that I may

have, whether present or future, in the estate of Late Smt. Sudershan Krishnamurthy, including any share that may have devolved upon me as legal heir of Late Shri B.S. Vasu. I confirm that I do not wish to be involved in any legal proceedings in respect of the estate. This affidavit may be relied upon by Shri Mahesh Vijayagopal in any present or future legal, judicial, or administrative proceedings concerning the estate of Late Smt. Sudershan Krishnamurthy, for the purpose of recording my renunciation, in his favour, of all rights, claims, and interests in the said estate, including any rents, dues, or entitlements arising therefrom.

4. That I hereby authorize Shri Mahesh Vijayagopal to submit this affidavit and take such steps as may be necessary for the limited purpose of facilitating the grant of Letters of Administration in respect of the estate of Late Smt. Sudershan Krishnamurthy. This includes filing of this affidavit before the Hon'ble Court at Patiala House, New Delhi and with other concerned authorities. I further state that I have no claim, right, title, or interest whatsoever in any of the properties forming part of the estate, and I have no objection to Shri Mahesh Vijayagopal taking such steps as may be required before the Delhi Development Authority (DDA), New Delhi Municipal Council (NDMC), Land & Development Office (L&DO), Sub-Registrar, or any other competent authority, for the purpose of giving effect to my renunciation and facilitating the lawful transfer, mutation, or regularization of the said properties in accordance with applicable law.



5. That I shall not be liable in any manner whatsoever for any present or future liability, tax demand, expense, or obligation arising out of or connected with

the estate of Late Smt. Sudershan Krishnamurthy. This affidavit may be relied upon by Shri Mahesh Vijayagopal in any present or future legal, judicial, or administrative proceedings concerning the said estate, for the purpose of confirming that the responsibility for handling any such liabilities, taxes, expenses, or obligations shall rest with him or such person(s) as he may designate in accordance with law. This affirmation is made to avoid any misunderstanding or claim of liability against me in connection with the estate.

6. That I hereby state that I have no objection to the grant of Letters of Administration in favour of Shri Mahesh Vijayagopal, and I expressly consent to the same. I further confirm that I shall not, at any future date, raise any objection, claim, or challenge to the said grant or to any proceedings relating to the administration of the estate of Late Smt. Sudershan Krishnamurthy.

7. That I fully understand the legal consequences of this disclaimer and renunciation, and I confirm that I have executed this affidavit voluntarily, without any coercion, undue influence, or pressure from any person. I am executing this disclaimer with full knowledge of my legal rights, and it is made finally and irrevocably.

8. That this affidavit has been executed before a Notary Public in the United States of America and shall be duly apostilled in accordance with the Hague

Convention, so as to be valid and operative for use before Indian courts and authorities.

8. In view of the aforesaid, this Court finds no impediment in releasing the keys of the property in question, i.e., *Flat No. 410, Prakash Deep*



Building, situated at 7, Tolstoy Marg, New Delhi, to the plaintiff.

9. Accordingly, the keys of the premises have been handed over by learned counsel appearing for the defendants to learned counsel appearing for the plaintiff.

10. At this stage, learned counsel appearing for the defendants submits that there is a notice affixed by the New Delhi Municipal Council (“NDMC”) outside the said premises with respect to the property tax.

11. Learned counsel appearing for the plaintiff submits that any property tax with regard to the suit property shall be payable by the plaintiff and that there is no liability of the defendants in this regard.

12. The aforesaid statement is taken note of.

13. Learned counsel appearing for defendant further submits that at the time of the lease, a security deposit of Rs. 2 lacs had also been deposited.

14. However, this Court notes the submission of learned counsel appearing for the plaintiff that the defendants have deposited the rent before this Court only for a period of three years, though the rent was stopped by the defendants from the year 2016.

15. Considering the aforesaid submission, it is directed that the security of Rs. 2 lacs as deposited by the defendants, shall be forfeited by the plaintiffs.

16. This Court notes that *vide* order dated 17th December, 2025, this Court had passed the following directions:

“xxx xxx xxx

CS(COMM) 1224/2025, I.A. 28312/2025 (u/O-XXXIX R-1 & 2 CPC)
and I.A. 28313/2025 (u/O-XXXVIII R-5 CPC)

1. Mr. Rajiv K. Garg, counsel appearing on behalf of the defendants no.1, 2 and 3 seeks time to file written statement and reply(ies) to the applications.

2. Let the written statement be filed as per the prescribed statutory



time limits.

3. Mr. Garg has drawn attention of the Court to the order dated 9th May, 2025 passed in CS(COMM) 370/2025 wherein similarly situated tenants have been asked to deposit the rental amount towards the admitted rent for the last three (3) years within two (2) weeks.

4. Without prejudice to his rights and contentions, Mr. Garg submits that defendants no.1, 2 and 3 shall also deposit the admitted rent of Rs.60,078/- per month for a period of three (3) years within four (4) weeks from today.

5. The aforesaid amount shall be deposited with the Registry of this Court.

6. The Registry shall keep the aforesaid amount in an interest-bearing fixed deposit.

7. An affidavit of service has been filed on behalf of the plaintiff in terms of which defendants no.4, 5 and 6 have been served. However, none appears on behalf of the said defendants.

8. List before the Joint Registrar on 9th February, 2026.

9. List before the Court on 24th February, 2026.

xxx xxx xxx”

17. Thus, this Court is informed that the defendants have deposited a sum of Rs. 21,62,808/-, with the Registrar of this Court, which is towards the rent for a period of three years up till December, 2025.

18. Accordingly, the aforesaid amount, as deposited by defendants, be released to the plaintiff, along with any accrued interest.

19. The plaintiff/his authorized representative, is directed to approach the Registry of this Court for this purpose and make an application thereof.

20. The Registry of this Court shall accordingly on the request of the plaintiff release the said amount to the plaintiff.

21. This Court also records the statement made by learned counsel appearing for the plaintiff that though the keys are being handed over now, he forgoes any other rent against the defendants.

22. Accordingly, the disputes between the parties stand resolved. No



further orders are required to be passed in the present matter.

23. The present suit is disposed of.

24. The pending applications also stand disposed of.

MINI PUSHKARNA, J

MARCH 19, 2026

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