

12.04.2024

Present: Sh. Amit Mehra, Ld. Counsel for the DH.
Sh. Sonal Sinha, Ld. Counsel for the JD.
Sh. Prateek Jain, Proxy counsel for the MCD.

Although the matter is listed at 12:15 PM.

Both the parties have requested to take up the matter and accordingly the matter is taken up with the consent of the parties at 10:02 AM.

It is submitted by the Ld. Counsel for the JD that there are two pending applications which have been filed in the connected matter i.e. for modification of the consent decree and the other one for exercise of the pre-emption rights qua the purchase of the property by the DH in case he wishes to purchase the same in terms of the Judgment and decree dated 28.03.2002.

Ld. Counsel for the DH submits that inadvertently the reply to the said applications could not be filed and he seeks 10 days time to file the same.

Proxy counsel for the MCD submits that he needs sometime to take instructions in the matter as to whether a separate staircase can be built in the suit property falling in the share of the JD in property bearing no. 5858-5861, Jogiwara, Nai Sadak, Delhi-06 and as to whether permission can be granted to the JD for construction of a separate staircase.

The MCD is directed to conduct an inspection and to submit a report in this respect on the NDOH.

At request, renotify the matter on **12.07.2024**.

The parties jointly submit that there may be a possibility of a settlement in the present matter and as such they intend to explore that possibility before mediation and requests that the matter be referred to the mediation.

In view of the same, **the parties are directed to appear before the mediation centre on 19.04.2024 at 2:00 PM.**

Copy of this order be given dasti to the proxy counsel for the MCD for necessary action.

(Sachin Sood)
DJ- 01 (Central),
THC, Delhi, 12.04.2024