

13.10.2022

Present: Shri Israr Ahmad, Ld. counsel for plaintiff alongwith Plaintiff in person.

Shri M. S. Rawat, Ld. counsel for both the defendant.

Ms. Krishna Devi, wife of D1 Jai Prakash.

Defendant no. 2 in person.

PW-Rajender Singh, Record Attendent is present.

An application on behalf of plaintiff for appropriate action against the defendants is filed. Copy supplied.

Heard on the said application.

It is submitted by Ld. counsel for plaintiff that vide order dated 26.02.2022 directions were given to the defendant co-operate and provide assistance to the plaintiff to repairing of the water motor. It is further submitted that a letter dated 02.10.2022 was sent to the defendants for providing a assistance in repairing the water motor but till date the defendants have not opened the door lock where the water motor installed. It is further submitted that the defendants have not complied with the order dated 26.02.2022, hence, it is prayed that necessary action be taken against the defendants as per law. Copy of letter is also attached.

Ld. counsel for defendants submits that till date no one from the side of plaintiff has approached the defendants for seeking assistance for repairing of the water motor. It is also submitted that no letter from the side of plaintiff has been received till date.

Arguments heard and considered. Perusal of the letter does not show as to when the plaintiff sought assistance from the defendants for

repairing the water motor. The letter also does not shown as to what day the water motor is to be repaired and in what manner the assistance of the defendants is required. Hence, there is no merit in the application filed on behalf of plaintiff for taking necessary action against the defendants. Thus, the said application is dismissed.

Ld. counsel for defendant submits that the defendants are ready to open the door lock where the water motor of plaintiff is installed. D-2 also submits that lock of the door shall be opened and all necessary assistance shall be provided to the plaintiff on any day fixed by plaintiff.

Plaintiff submits that he wants to get the motor repaired tomorrow i.e. 14.10.2022..

D-2 and wife of D-1 present in the court today submits that lock of door where the water motor installed shall be opened tomorrow morning at 9.00 a.m.

Defendants are directed to provide aforesaid necessary assistance to the plaintiff.

PW- Rajender Singh submits that the record is not available with department of Archives Mehroli. In view of the same, PW- Rajender Singh is discharged unexamined.

Put up for PE on 21.01.2023.

A copy of this order be given dasti to plaintiff.

(Rajesh Kumar)
Additional District Judge-03
East/Karkardooma/Delhi
13.10.2022