

CS No.1445/16

27.01.2017

Pr: Mr. Vikas Kumar, Ld. Counsel for the plaintiff.

Mr. P.K. Khanna, Ld. Counsel for both the defendants along with defendant no.1 and 2 are in person.

Arguments have been addressed on the application under Order 39 Rule 1 and 2 CPC.

This is a suit filed for partition and permanent injunction.

It has been submitted by Ld. Counsel for defendant no.1 and 2 that defendant no.1 and 2 are in possession of the suit property while defendant no.3 and 4 are married sisters, who are residing at their matrimonial home and defendant no.1 and 2 are ready to give their statement that they shall not create any third party in the suit property.

“Statement of Shri P.K. Khanna, Ld. Counsel for defendant No.1 and 2 has been recorded separately to this effect which is as under:-

Under the instructions of defendant No.1 and 2, I am giving the present statement that defendant No.1 and 2, their representatives, agents, attorneys etc. would not sell, transfer, alienate and part with possession of the suit property i.e. 9/3566, Old Dharampura, Gandhi Nagar, Delhi, measuring 78 Sq. Yards and also would not create any third party interest with respect to the aforesaid suit property till the disposal of the suit.

(Nisha Saxena)
R.O. & A.C. ADJ-03(E)/KKD
27.01.2017”

In view of the statement given, it is directed that the defendants, their representatives, agents, attorneys etc. shall not sell, transfer, alienate and part with possession of the suit property i.e. 9/3566, Old Dharampura, Gandhi Nagar, Delhi, measuring 78 Sq. Yards and also shall not create any third party interest with respect to the aforesaid suit property till the disposal of the suit as shown in the site plan as the same is necessary to safeguard the property which is the subject matter of the suit. Application under Order 39 Rule 1 and 2 accordingly stands allowed.

At this stage it is stated that there are chances of reconciliation.

Put up for reconciliation statement on 31.01.2017 at 2.00 p.m.

(NiSha Saxena)
ADJ-03(E)/KKD
Delhi/27.01.2017