

30.09.2024.

Present : Sh. Harsh Gupta, Ld. proxy counsel for the plaintiff along with plaintiff.

Ms. Kannupriya Paliwal, Ld. counsel for the plaintiff.

Sh. Atul Sharma, Ld. counsel for all the defendants through VC.

As per report of Ahlmad, WS along with documents and vakalatnama filed on behalf of the defendants on 31.08.2024.

Reply to the application u/o 39 Rule 1 and 2 r/w section 151 of CPC also filed on behalf of the defendants.

Ld. counsel for the plaintiff submits that there is considerable delay in filing of WS on behalf of the defendants. She further submits that she has no objection, if the WS is taken record with heavy cost.

In the interest of justice, the delay in filing of WS is hereby condoned subject to cost of Rs. 500/- to be deposited in DLSA, East KKD, Delhi.

Order on application u/o 39 Rule 1 and 2 r/w section 151 of CPC:-

Ld. counsel for the plaintiff submits that her application u/o 39 Rule 1 and 2 r/w section 151 of CPC is pending for adjudication.

I heard both the parties and perused the record.

During hearing, Ld. counsel for the defendants submits that without admitting anything, he has no objection on the application of the plaintiff u/o 39 rule 1 and 2 r/w section 151 of CPC. It is further submits that some shops are already on rent.

His statement has been recorded separately in this regard.

In view of the above submissions, the application u/o 39 Rule 1 and 2 r/w section 151 of CPC is hereby allowed.

Defendants are restrained from selling, parting, alienating, creating third party interest in the suit property during the pendency of the case.

The application stands disposed off.

Put up for further proceedings on **04.12.2024**.

(Vikas Garg)
DJ-05/East/KKD
Delhi/30.09.2024