

Case No. 2956/16
21.12.2016

Present: Plaintiff in person along with Ld. Counsel Sh. A. S. Rajput.

Both the defendants are in person along with Ld. Counsel Sh. Shafiq Khan.

Separate replication to the written statement of D-1 and 2 filed. Copy supplied. Ld. Counsel for plaintiff seeks some time to file additional documents on record. He has undertaken to file the same during the course of day.

At this stage, arguments have been addressed on the application under order 39 rule 1 & 2 r/w S. 151 CPC.

Ld. Counsel for the defendant No. 1 & 2 has submitted that he does not wish to file reply to the said application and would argue the matter straightway.

Ld. Counsel for defendant No. 1 & 2 has further submitted that defendant No. 1 & 2 do not have intention to sell out/part with or to create any third party interest in the property and he is ready to give statement to this effect. Statement of Ld. Counsel for defendant No. 1 and 2 is recorded separately which is reproduced hereunder:-

Statement of Sh. Shafiq Khan, Ld. Counsel for the defendant No. 1 & 2.

At Bar

I am the counsel for the D-1 & 2 as such I am competent to make statement for and on behalf of D-1 & 2. At instructions, I state that D-1 and 2 have no intention to sell out/ part with or to create any third party interest in the property bearing No. B-88, Gali No. 1, Rajbir Colony, New Kondli, Delhi-96, till

pendency of the suit.

RO&AC

The present suit is filed by the plaintiff for possession and damages against the defendants in respect of the suit property bearing No. B-88, measuring 50 sq. yards, situated at Gali No. 1, Rajbir Colony, Block-B, Ambedkar Nagar, New Kondli, Delhi-110096.

In view of the statement so given, I allow the application order 39 rule 1 & 2 CPC, moved on behalf of the plaintiff by granting ad-interim injunction against the defendants, restraining them, their agents, employees, servants, heirs, administrators etc. from creating any third party interest either by sub-letting, transferring, alienating or otherwise parting with the possession of the suit premises bearing No. B-88, measuring 50 sq. yards, situated at Gali No. 1, Rajbir Colony, Block-B, Ambedkar Nagar, New Kondli, Delhi-110096, as shown in the site plan during pendency of the present suit.

Put up for admission-denial of the documents/ framing of issues on 06.04.2017.

(NISHA SAXENA)

Additional District Judge-03
East District/KKD Courts/Delhi

21.12.2016

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