

CT Cases 26798/2017

PAYAL @ PINKI Vs. DHARMENDER KUMAR AND ORS.

(Sangam Vihar)

27.04.2018

Present: Advocate for the complainant with complainant in person.
Advocate for respondent with respondent in person.

Reply of respondent no. 1 filed. Copy supplied. Income affidavit of respondent no. 2 was not filed. Same be filed with all supporting documents on the next date. Be awaited.

(Saloni Singh)

MM-02 (Mahila court), South
Saket Courts/N.D./ 27.04.2018

At 12.05 PM

Present: Mr. Tribhuwan Rathi, Advocate for complainant with complainant in person.
Advocate for respondent no. 1 with respondent no. 1 in person.
Advocate for respondents no. 2 to 5 with respondents no. 2 to 5 in person.

Application filed under Section 18 of Domestic Violence Act for providing electricity and water supply to the complainant on the ground that there is no water and electricity in the portion of the complainant since 18.11.2017. Copy of application has been supplied to the respondents. Advocate for respondent no. 1 has submitted that there was a sub meter installed in the portion in which the complainant is residing, however that sub meter was removed by he other respondents. Respondent no. 1 stated that he is willing to pay the electricity and water charges.

Further, on inquiry, respondent no. 1 stated that he is not residing with the complainant because other respondents keep harassing him

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and have quarreled with him several times.

Advocate for respondents no. 2 to 5 has submitted that house belongs to the respondent no. 2 and the electricity meter connection is in the name of respondent no. 2. He further submitted that respondent no. 2 has filed a civil suit for permanent injunction for vacation of the premises against the complainant and the respondent no. 1. Advocate for respondents no. 2 to 5 further submitted that respondents have no liability to provide maintenance to the complainant and the relief sought in the present application is not maintainable against them.

Submissions have been heard. Advocate for respondent nos. 2 to 5 submitted that he wishes to file the reply. There is no requirement for filing reply as the respondent no. 1 has admittedly agreed to take responsibility to pay the electricity charges to the respondent no. 2. The respondents no. 2 to 5 have not shown any inclination towards settling the matter or to take proportionate/ fixed amount towards consumption of electricity on a monthly basis from the complainant/ respondent no.1. Since it appears that it is not disputed that the property belongs to respondent no. 2, the respondent no. 1 is directed to get separate electricity connection installed in the portion of the complainant by making application to the concerned department as per rules. At present, no relief regarding water charges has been pressed on behalf of the complainant. Accordingly, the application is disposed off. Put up on 19.05.2018.

(Saloni Singh)

MM-02 (Mahila court), South
Saket Courts/N.D./ 27.04.2018