

CIV DJ 22/2026
Deepak Garg Vs.
Prem Chand Garg & Ors.

11.03.2026 at 02:30 PM

File is taken up today on an application u/s.151 CPC for seeking early hearing, filed on behalf of applicant/ plaintiff through e-filing.

Present: Ms. Charu Bhardwaj, Ld. Co-counsel for applicant/ plaintiff.

Arguments heard. Record perused.

In the application mainly it is contended that on 09.01.2026 D-1 & D-2 have entered their appearance through their counsel and sought time to file written statement as well as reply to interim application. That in order of that day on inquiry from Ld. Counsel for the D-1 & D-2 the Court has mentioned that the Ld. Counsel for the D-1 & D-2 have instructions from his clients to the effect that for the time being they were not going to create third party interest in the suit property. That hence, the arguments on the interim application were deferred. That thereafter, a letter dated 15.01.2026 was sent by Ld. Counsel for plaintiff to D-4 (concerned Sub-Registrar) informing and bringing to his notice the order dated 09.01.2026. That recently a letter/ notice dated 19.02.2026 is received by Ld. Counsel for the plaintiff from the D-4 mentioning that in respect of the suit property a sale deed has been presented by the D-1 & D-2 on 19.02.2026 and he has been called upon to give further clarification regarding status quo or stay order within three days of receipt of the letter. That the letter was delivered to the counsel

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only on 10.03.2026.

By way of present application the matter is sought to be preponed for disposal of the pending application u/o XXXIX Rule 1 & 2 CPC and Ld. Counsel for the plaintiff has also prayed that in order to safeguard interest of the plaintiff in the suit property, the D-1 & D-2 be restrained from creating third party interest in the suit property and the D-4 be restrained from registering any deed in that regard.

Copy of the aforementioned letter/ notice dated 19.02.2026 of the D-4 and tracking report, are annexed with the application. The tracking report reflects that the letter was booked on 09.03.2026 and was delivered on next day.

In the present matter plaintiff Sh. Deepak Garg is staking claim over the suit property i.e. 1st floor of property no.86, Inder Enclave, Paschim Vihar, Delhi-110087, belonging to his parents D-1 Sh. Prem Chand Garg and D-2 Smt. Devki Garg. On 09.01.2026 Ld. Counsel for the plaintiff has pressed interim injunction application for restraining the D-1 & D-2 from selling, transferring, etc., the suit property. As highlighted above, in order passed on that date it was mentioned that on inquiry, Ld. Counsel for the D-1 & D-2 has stated that he has instructions from his client to the effect that for the time being they were not going to create third party interest in the suit property. Since the interim injunction application is yet to be disposed off and as aforementioned, during the proceedings of the matter it was conceded on behalf of the D-1 & D-2 that for the time being third party interest would not be created in the suit property, before

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disposal of the interim application and without intimation to the Court it is unfair on the part of the D-1 & D-2 to proceed to transfer the suit property in favour of third person.

In the present circumstances interest of the plaintiff in the suit property needs to be safeguarded, therefore, hereby the D-1 & D-2 are restrained from creating any third party interest in the suit property and the D-4 (concerned Sub-Registrar) is restrained from registering any deed in respect of the suit property till disposal of the interim application u/o XXXIX Rule 1 & 2 CPC.

Issue notice of the application to D-1 & D-2, on filing of PF/ Speed post/ *Dasti*, returnable for **01.04.2026 at 12:30 PM.**

Copy of this order be given *Dasti* to Ld. Counsel for the plaintiff, as requested. Plaintiff/ his counsel is authorized to serve copy of this order to the D-1, D-2 & D-4 for information/ compliance.

(GOPAL SINGH CHAUHAN)
DJ-03, WEST/DELHI
11.03.2026