

CS. No. 557/17

SMT. AMRESH & ANR. Vs. CHARAN SINGH & Ors.

17.10.2020

Present: Plaintiff with counsel Sh. Jitender Kumar (physically present).

None for the defendants.

None has appeared for the defendants despite repeated calls. On 13.10.2020 plaintiff Smt. Amresh had filed an application under section 151 CPC stating therein that she is in possession of a room of the property no. 358/4, Gali No.1, near Hanuman Mandir, Mandawali Fazalpur, Delhi-92; that door of this room is in damaged condition and requires repairs; that when she started to get the same repaired, the defendants objected. On these averments she filed the application with a prayer that she be permitted to repair the door of her room without objection from the defendants. Together with this application she filed photographs of the door in question.

Notice of this application was issued to the defendants. Notice to D-1, D-2 and D-3 was issued through speed post. However, it is not clear from the tracking reports as to whether they have been served or not. The process issued to them has not been received back.

Plaintiff Amresh, at this stage, submits that D-1 Charan Singh, who was her father-in-law passed away in December 2019.

Ld. Counsel for the plaintiff states that plaintiff Amresh is a widow and that she has young daughter aged about 7 years to take care of. She further states that if the door is not repaired immediately she would suffer irreparable loss.

Heard. Perused. The plaintiff Amresh is at liberty to have the door of her room repaired at her own cost. The defendants shall not make any interference in the same.

Copy of this order be given dasti to plaintiff Amresh. Plaintiff Amresh shall make compliance of Order XXXIX Rule 3 of CPC. List on **04.11.2020**

(MURARI PRASAD SINGH)
Addl. District Judge-03(East)
Karkardooma Courts-17.10.2020