

CS No. 671/19

Sunita Aggarwal etc. v/s Laxmiraj Vanshi etc.

12.07.2019

Present :- Sh. Sudhir Gupta, Ld. Counsel for plaintiff.
Sh. Ravi Kapoor, Ld. Counsel for defendant no. 1, 2, 4,
5 and 6.
Ld. Counsel for defendant no. 7 and 8.
Sh. Rajesh Sharma, Ld. Counsel for defendant no.9.

Ld. Counsel for defendants submit that in fact third party interest was created by the plaintiffs' predecessor through customary documents i.e. GPA, agreement to sell etc. and thereafter construction was carried over the premises. He submits that the defendants whom he represents are in possession/portions and are living there.

Per contra Ld. Counsel for plaintiff submits that at no point of time plaintiff's predecessor in interest had alienated the property or executed the documents. The plea raised by the defendant is false. The construction is also illegal and qua the same matter is also pending before MCD tribunal.

Considered.

I have noted the submissions.

Put up for reply and arguments on the application seeking condonation of delay in filing the WS on 25.09.2019 Replication be also filed in between. The application shall be decided first whereupon subject to the outcome next course of action shall be taken.

(Sumit Dass)
ADJ – 02 : East/KKD
12.07.2019