

CS 605/23
ZEENAT KAUSAR Vs. MOHD. SHAKIR

11.12.2023

Present : Mr. Vikas Sharma, Ld. Counsel for the plaintiff.
Mr. Chandrakar Mishra, Ld. Counsel for the defendant no.1.
Defendant no.2 in person.

Vakalatnama filed on behalf of defendant no.1. The same be taken on record.

At this stage, an application U/O XXXIX Rule 1 & 2 CPC filed by the plaintiff is taken up.

Arguments heard on the application.

Ld. Counsel for the defendant no.1 submits that he is not opposing the said application. Further, defendant no.2 submits that he was put in possession of the suit property i.e. J-10, Gali No.12, Third Floor (J-Extension), Ramesh Park, Near Abdulla Masjid, Laxmi Nagar, Delhi-110092 by defendant no.1 on the security deposit of Rs.8,50,000/- with defendant no.1. He further submits that as on date, he is in possession of the suit property.

In view of the submissions made and in order to preserve the suit property, the defendants are hereby restrained from creating any third party interest in the suit property or parting with the possession of the suit property i.e. J-10, Gali No.12, Third Floor (J-Extension), Ramesh Park, Near Abdulla Masjid, Laxmi Nagar, Delhi-110092 till further orders. Accordingly, the application U/O XXXIX Rule 1 & 2 CPC is disposed of as allowed.

Put up on **28.03.2024** for arguments on pending application and completion of pleadings/ framing of issues/ filing of proposed issues/ list of witnesses/ affidavit of admission/ denial documents.

(Ajay Garg)
Additional District Judge-01
(East)/KKD/Delhi/11.12.2023