

CS139/23

GITA DATTA AND ANR Vs. SAMEER MAZUMDAR

08.06.2023

Present: Plaintiff no. 1 in person with ld. counsels Sh. Raj Kumar & Ms. Tanya Kathuria.

Defendant in person with ld. counsel Sh. Sanjeev Kumar Sharma.

Matter is fixed for service of defendant. Summons sent to defendant received back served and vakalatnama filed on behalf of defendant. Ld. counsel for defendant submits that the copies of the plaint and documents supplied to defendant are not legible. Same has been supplied by the plaintiff. Defendant is directed to file written statement within four weeks with advance copy of the same to the plaintiff. Thereafter, plaintiff to file replication with advance copy of the same to the defendant.

At this stage, it is submitted by ld. counsel for plaintiff that plaintiff has apprehension that defendant will create third party interest qua the suit property bearing no. B-128/A-B, Khasra No. 333, Gali No. 6, Nehru Vihar, Karawal Nagar, Delhi-110094 and he may be restrained from doing the same.

I have heard the ld. counsel for parties and perused the record.

On court question, defendant has admitted to be in possession of portion of the suit property and remaining portion is in the possession of the plaintiff which is not disputed from the side of plaintiffs. Ld. counsel for defendant further submits that defendant has no intention to dispose off the suit property. In view of the same, both the parties are restrained from selling, transferring, alienating or creating any third party interest in the suit

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property bearing no. B-128/A-B, Khasra no. 333, Gali No. 6, Nehru Vihar, Karawal Nagar, Delhi-110094, till the next date.

Put up for completion of pleadings/arguments on interim application on **21.08.2023**.

(GEETANJALI)
ADJ-01/NE/KKD/DELHI
08.06.2023