

04.02.2023

Present: Ms. Annu Arora, learned counsel for applicants /
defendants alongwith defendant in person.
Sh. Kuldeep Gola, learned counsel for non-applicant / plaintiff.

Matter is fixed for service of plaintiff to the application of defendant under Section 151 CPC for restraining plaintiff from raising any unauthorized and illegal construction and demolish the unauthorized and illegal construction done so far ; from creating any third party interest in the suit property ; from installing any iron gate.

Submissions heard. Record perused.

Following arguments were addressed on behalf of plaintiff :

1. No unauthorized and illegal construction has been raised.
2. No iron gate has been installed and only white wash has been done in the property due to marriage of plaintiff's son. Photographs filed by defendants also show that no illegal construction has been raised on the suit property.
3. Plaintiff has no intention to create 3rd party interest in the suit property.
4. Both the parties may be directed to maintain status-quo in respect of the suit property.

Defendants reiterated their arguments as mentioned in the application and submitted that defendants have no objection if both the parties are directed to maintain status-quo in respect of the suit property.

In view of the submissions made on behalf of the parties and considering the totality of facts and circumstances, the court is of the view that the ends of justice would be met if both the parties are directed to maintain status-quo in respect of the suit property. **Accordingly, parties are directed to maintain status-quo in respect of nature, title and possession of the suit property i.e. E-40 & E-41, Seelampur, Delhi-53, till further orders.**

The aforesaid application is disposed off in aforesaid terms.

List the matter on the date already fixed i.e. **25.02.2023** for purpose fixed.

MONA TARDI KERKETTA
ADJ-01/NE/KKD/DELHI
04.02.2023 sk