

12 CS DJ 900/25 NIRMALA Vs. SANJAY KUMAR

07.01.2026.

Present: Mr. Abhijeet Mathur, Ld. Counsel for the plaintiff.
Mr. R.S. Ranan, Ld. Counsel for the defendant alongwith
defendant in person.

Fresh vakalatnama is filed on behalf of defendant. **Let written statement (within statutory period) and reply to the application u/o 39 Rule 1 & 2 CPC be filed after supplying advance copy to the opposite counsel against acknowledgment and thereafter, replication, if any, be also filed in same manner.**

Now, put up for appearance of parties/filing of replication/admission and denial of the documents, if any/ examination u/o 10 CPC/exploration of the chances of resolution of dispute by alternate mode u/o 89 CPC/arguments on application u/o 39 Rule 1 & 2 CPC and for consideration for issues for **29.04.2026.**

At this stage, Ld. Counsel for the plaintiff presses heavily ad-interim stay submitting the suit property is being constructed and there is likelihood that 3rd party interest shall be created in the suit property. This prayer is opposed strongly.

The defendant is posed the colour photographs of the property placed on record and he admits that photographs are pertaining to the entire plot admeasuring 300 Sq. Yard which is existing in the name of his father but he explains that the status of the property is not the same as being reflected in the photographs as a construction is being raised and at present boundary walls have been constructed but he categorically denies that any construction is being raised by him. Separate statement as made by defendant is recorded in this regard. This

is also disputed on behalf of the plaintiff that construction is being raised by the plaintiff. Thus, considering the categorical rival submissions but admitted fact that suit property is existing in the name of deceased father of the party and glaring fact that suit property is under construction, this Court is of the view that property is required to be protected and status is required to be preserved at least by the next date by the parties. **Accordingly, both the parties are hereby directed not to create any 3rd party interest by sale, mortgage, transfer, parting with possession etc. and not cause any construction in the entire property falling in Khasra No. 156/42, VPO- Pooth Khurd, Delhi-39 admeasuring 300 Sq. Yard, till the next date of hearing.**

(Aanchal)
District Judge-03, Rohini Courts
North District, Delhi
07.01.2026(amt)