

7 CS DJ 62/23
SUMITRA DEVI Vs. SHIV PRASHAD

11.12.2024

Present : Sh. Ansar Ahmad, Ld. Counsel for the plaintiff with
plaintiff.
Sh. Rahul Dhamija, Ld. Counsel for defendants no.1 &2.
None for other defendants.

Ld. Counsel has appeared in pursuance to the notice issued to the defendant on an application u/o 39 rule 1 and 2 CPC filed by the plaintiff on 22.11.2024 as there was an apprehension that the defendants were trying to create a third party interest in the suit property.

Ld. Counsel for the defendant submits that he has advised his clients not to sell the property till the disposal of the suit and that they shall abide by the same.

Ld. Counsel for the plaintiff submits that the relief is sought against the defendants no.1 & 2 and the wife of defendant no.1, in whose name, the defendant no.1 has already transferred the property. It is stated that he has already filed an application u/o 1 Rule 10 CPC to implead her as a defendant. Notice of this application is already issued on 08.05.2024. Ld. Counsel for the defendant no.1 accepts the notice on her behalf as she is the wife of defendant no.1.

In view of these circumstances, the defendants no.1 & 2 and the proposed defendant Smt. Urmila are directed not to create any third party interest in the suit property till the disposal of application u/o 39 rule 1 and 2 CPC.

Put up for date fixed i.e. **17.02.2025** for purpose fixed.
Order be given dasti.

(RUCHIKA SINGLA)
DJ-03 (N/W)
Rohini Courts :Delhi/11.12.2024