

CS No.400/20
SUDHA SHARMA
versus
OMI CHAND (SINCE DECEASED THR. HIS LEGAL HEIRS

17.01.2022

Matter taken up through Cisco Webex in pursuance of Order of Hon'ble High Court of Delhi bearing no. 896/RG/DHC/2021 dated 30.12.2021.

Present: Sh.Nitin Arora Adv. Ld. Counsel for plaintiff present through VC.

Sh.Keshav Bhardwaj Adv. Ld.counsel for defendant present through VC.

Time sought by Ld. Counsel for defendant to file written statement.

Heard. Ld. Counsel for plaintiff submits that this is suit for specific performance or in the alternative for return of the money. He submits that plaintiff is in possession of the suit property bearing No.A-32, First Floor, DDA Flats, Garhi, East of Kailash, New Delhi -65. He submits that defendant is in occupation of the second floor of the same premises and has already filed eviction suit which itself gives credence to the stand of the plaintiff that the plaintiff is in possession of the suit property.

On the other hand, Ld. Counsel for defendant submits that he has been recently engaged and admits that eviction suit has been filed by the defendant but he is not aware of the particulars thereof. Ld. Counsel for defendant submits that without prejudice, defendant undertakes not to

dispossess the plaintiff from the suit premises till next date of hearing.

Defendant shall be bound by the undertaking given by his counsel.

Put up for completion of pleadings, filing of affidavit of admission denial and for arguments on the interim application on **28.04.2022**.

(Munish Markan)
ADJ-02 (SE)/District Courts Saket,
New Delhi/17.01.2022