

28 MCA DJ 8/25

**PRATIBHA AGGARWAL AND ANR. VS. SUNITA SAXENA
AND ORS.**

20.07.2026

Present: Sh. Sanjeev Goel, Id. Counsel for appellant.
Sh. Jitesh Sharma and Sh. Nikhil Yadav, Id. Counsel for
respondent no. 1 to 3.
Sh. Alok Sharma and Sh. S. C. Raghav, Id. Counsel for
respondent no. 4 and 5 with respondent no. 5 in person.

Detailed arguments heard on appeal.

Ld. Counsel for the appellant seeks an adjournment.

Ld. Counsel for the appellant submits that the
respondent no. 1 is the owner of the third floor and as per the
collaboration agreement, the owner of the third floor can only park
02 two wheelers in the stilt parking but respondent no. 1 is parking
his car in the stilt parking, therefore, order passed by the Ld. Trial
court is required to be set aside.

Ld. Counsel for respondent no. 1 submits that appellant
is relying upon collaboration agreement but same collaboration
agreement did not give explicitly any right to the appellant, who is
staying on the upper ground floor, to park any vehicle in stilt
parking. If appellant is relying upon collaboration agreement to stop
the respondent in parking his car in the stilt parking then appellant
should also follow the collaboration agreement and should not park
any vehicle in the stilt parking. This shows that appellant has not
come to this court with clean hands.

Ld. Counsel for the appellant seeks time to lead further
arguments.

In the meanwhile, Ld. Trial Court is at liberty to continue with the trial.

Trial Court Record be called 03 days before the NDOH.

Put up for further arguments on present appeal on **02.11.2026.**

(Vipin Kharb)
DJ – 03, Shahdara District,
Karkardooma Courts, Delhi
20.07.2026