

05.06.2026

At 11:29am

Present: Sh. Hitesh Bhardwaj, Ld. Counsel for plaintiff along with plaintiff.

Sh. Jugnu Bhati, Ld. LAC for defendant along with defendant.

I.A. No.2/2026 (registered today) (Application under Order VIII Rule 1 CPC.).

WS, application under Order VIII Rule 1 CPC (I.A. No.2/2026) filed on behalf of defendant.

Ld. Counsel for plaintiff, on instructions submits that plaintiff does not wish to file reply to the aforesaid application and he has no objection, if the present application be allowed subject to cost.

Heard. Application perused.

Present matter is still at initial stage and issues are yet to be framed. It is also settled law that all the cases shall be decided on merits after giving proper opportunities to all the parties to represent themselves and contest the case.

In view of the submissions, contentions made in the application, no objection given by Ld. Counsel for plaintiff, present application is hereby **allowed subject to cost of Rs.1,000/- which shall be paid by defendant to plaintiff. Cost of Rs.1,000/- paid by defendant to plaintiff through UPI. Same has been acknowledged.**

(2)

WS of defendant is taken on record.

Application under Order VIII Rule 1 CPC (I.A. No.2/2026) is accordingly disposed of.

CS 223/26

Plaintiff is at liberty to file replication, if any to the WS of defendant within 15 days with an advance copy to defendant.

Parties are directed to file their respective affidavit of admission and denial of documents within 30 days with an advance copy to each side.

Parties are directed to produce original documents on NDOH. Parties are also directed to file proposed issues, if any.

Parties are also directed to appear in person on NDOH for the purpose of admission and denial of documents and recording of their statements under Order X CPC, if required.

At this stage, Ld. LAC for defendant, on instructions submits that defendant shall vacate and hand over the vacant, peaceful and physical possession of the suit property bearing No.X/1788, second floor, Gali No.16, Rajgarh Colony, Gandhi Nagar, Delhi-31 to plaintiff within 10 days from today. He further submits that defendant shall pay the utility charges i.e. electricity bill directly to the concerned service provider till the date she is possessing the suit property.

Separate statement of defendant recorded in this regard. She is bound by her statement.

(3)

In view of the submissions and statement given by defendant, **a decree of possession is hereby passed in favour of plaintiff and against defendant under Order XII Rule 6 CPC thereby directing defendant to hand over vacant, peaceful and physical possession of the suit property bearing No.X/1788, second floor, Gali No.16, Rajgarh Colony, Gandhi Nagar, Delhi-31 to plaintiff within 10 days from today.**

Decree sheet be prepared accordingly.

Suit is partly disposed of.

Put up for completion of pleadings, admission and denial of documents and framing of issues on **04.07.2026**.

Date is given as per the convenience of Ld. counsels.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
05.06.2026