

20.11.2025

At 10:40am

Present: Sh. Nishant Sharma, Ld. Counsel for plaintiff along with plaintiff.

Sh. Vijay Vaghe, Ld. counsel for D-1 and D-2 along with AR of D-1 and D-2 Sh. Ravi Kumar Aggarwal. D-3 in person.

As per report of process server, D-1 has been unserved. D-2 and D-3 have been duly served on 14.10.2025.

WS, reply to the application under Order XXXIX Rule 1 & 2 CPC, list of documents and Vakalatnama filed on behalf of D-1 and D-2. Copy supplied.

Plaintiff is at liberty to file replication, if any, within 21 days from today with an advance copy to D-1 and D-2.

Plaintiff and D-1 and D-2 are directed to file their respective affidavit of admission and denial of documents within 30 days from today with an advance copy to opposite side.

D-3 is directed to file WS and affidavit of admission and denial of documents within 30 days from today with an advance copy to plaintiff.

Upon receipt of copy of WS and affidavit of admission and denial of documents, plaintiff is at liberty to file replication to the WS of D-3, if any, and affidavit of admission and denial of documents, if required, within 21 days from today with an advance copy to D-3.

(2)

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.

It is submitted by Ld. Counsel for plaintiff that D-1 and D-2 are intending to sell, alienate, dispose off the suit property and if D-1 and D-2 succeed in their illegal design then plaintiff shall suffer an irreparable loss and injury which cannot be compensated in terms of money and further indulge plaintiff into multiplicity of litigation.

It is submitted by Ld. Counsel for D-1 and D-2, on instructions that the suit property has already been let out by the D-1 and D-2 and at present, 02 tenants are residing in the suit property. He further on instructions submits that D-1 and D-2 have no intention to sell, alienate and dispose off the suit property, during the pendency of present suit.

Separate statement of AR of D-1 and D-2 Sh. Ravi Kumar Aggarwal recorded in this regard.

D-1 and D-2 are bound by the statement of their AR namely Sh. Ravi Kumar Aggarwal.

In view of the submissions, contentions made in the application, considering the statement given by AR of D-1 and D-2 namely Sh. Ravi Kumar Aggarwal, **D-1 and D-2 are restrained from selling, alienating and disposing off the suit property i.e. first and second floors of property bearing No.784-E**

(3)

(Old No.20-A-3/48), Lohiya Gali No.3, East Babarpur, Shahdara, Delhi-32, area measuring 70 sq. yards/58.52 sq. meters out of Khasra No.138, Village Babarpur, Delhi, during the pendency of the present suit.

Application under Order XXXIX Rule 1 and 2 CPC is accordingly disposed of.

Put up for completion of pleadings, admission and denial of documents and framing of issues on **09.03.2026**.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
20.11.2025