

12 CS No. 558/22

**SMT. TIRLOCHAN KAUR (Sr. Citizen) Vs. MS. GURMEET
KAUR AND ORS**

14.03.2023

Present : Plaintiff along with Counsel Mr. Harjeet Narang.
Counsel Ms. Asha Chaudhary for D-1.
Counsel Mr. A. S. Juneja for D-2 to D-5.

Replication filed by plaintiff to written statement of D-1 along with application under Order XIII Rule 1 & 8 r/w Section 33 & 35 of Indian Stamp Act filed by plaintiff. It is stated that documents relied upon by D-1 are unregistered and not notarized and thus liable to be impounded.

Copy supplied to counsel for D-1, who seeks to file reply & original documents. Be filed by D-1 within 4 weeks with copy to other side to facilitate arguments.

Joint written statement filed by D-2 to D-5. Counsel Mr. Juneja for D-2 to D-5 has explained the reasons for delay in filing the written statement and prayed for condoning such delay.

In view of the reasons explained by counsel Mr. Juneja as also in view of law laid down in *M/s. Scg Contracts India Pvt. Ltd. v. KS Chamankar Infrastructure Pvt. Ltd. and Ors* (decided on 12.02.2019) passed by Hon'be Apex Court, the delay in filing the written statement stands condoned and written statement is taken on record.

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Heard arguments on plaintiff's application under Order 39 Rule 1 and 2 CPC as addressed by ld. counsels for both sides. Present is a suit for partition, possession, permanent injunction and rendition of accounts having filed by plaintiff against the defendants. Considering the facts and circumstances of the case, Defendants & their associates are hereby restrained from raising any kind of construction or selling, transferring, or creating any third party interest in the suit property i.e. built up residential property No. 265 and 267 (amalgamated), Kabool Nagar, GT Road, Illaqa Shadhara, Delhi during the pendency of present suit. Application stands disposed off.

List the matter for arguments on plaintiff's application under Order XIII Rule 1 & 8 r/w Section 33 & 35 of Indian Stamp Act on 02.06.2023.

(RAVINDER BEDI)
Additional District Judge -02
Shahdara, Karkardooma Courts,
Delhi: 14.03.2023