

16.04.2019

Present: Ld. Counsel for plaintiff.
Ms. Vindya, proxy counsel for plaintiff.

Reply filed by plaintiff to the application of defendant under Order VIII Rule 1 r/w Section 151 CPC and Section 5 of Limitation Act. Copy supplied.

Put up for arguments on the above-said application on **20.08.2019**.

More call not possible as there are 46 matters listed today. Shortest possible date is given considering the pendency as well as regular cause list of this court. There are pendency of around 1900 cases in this court.

(DEVENDER NAIN)
ADJ-03, SHD, KKD
DELHI/16.04.2019

At this stage, Ld. Counsel for defendant has appeared. She has moved an application on behalf of defendant for depositing the keys of suit property no.607, Gujran Khadar, Gamri Road, Ghonda, Delhi-110053. Submission heard. Application perused.

Counsel for defendant prays again and again to take his application for handing over the keys of suit property no.607, Gujran Khadar, Gamri Road, Ghonda, Delhi-110053. After perusal of judicial file, it reveals that possession has not been claimed on behalf of plaintiff in his present suit. In these circumstances, it is between the parties to hand over the key or possession of the suit property to the plaintiff. Before the undersigned, only prayer for arrear of rent is pending.

In these circumstances, I am of the considered opinion that any proceedings between the parties regarding handing over of possession or keys is not maintainable before undersigned and in these circumstances, the present application is not maintainable, the same is hereby disposed off as dismissed subject to cost of Rs.3000/- to be deposited in DLSA, Shahdara, Delhi.

Counsel for defendant seeks one week time to deposit the cost amount. At request, now to come up for date already fixed i.e. 20.08.2019.

(DEVENDER NAIN)
ADJ-03, SHD, KKD
DELHI/16.04.2019