

CS-1106/2016
Rohtas v/s Niwas & Ors

16.05.2019

Present: Sh. Trilok Chand, counsel for the plaintiff.
Sh. Y.K Sharma, counsel for the defendant no. 1.
Sh. Rohit Chandra, counsel for the defendant no.
2.

Status report on behalf of EDMC in respect of property bearing No. 143, Gali No. 2, opposite Shiv Mandir, Village Tahirpur, Delhi has been filed today. Copy supplied.

As per the status report an appeal has been filed on behalf of defendant no. 1 challenging the demolition order dated 23.01.2019.

Counsel for the plaintiff has moved an application under Order 39 Rule 2 (A) and Section 11 & 12 of Contempt of Court Act whereby it is stated that illegal construction of latrine and bathroom in the second floor of the suit property is being carried out by the defendant no. 1 even after passing of status quo order dated 21.01.2019. On the other hand, counsel for the defendant no. 1 submits that there is no construction being carried out at the second floor after the said order.

Defendant no. 1 was directed to remain present on 12.30 pm, however, defendant no. 1 is not present at 12.45 p.m. His son is present today in the court who submits that defendant no. 1 is not well and his treatment is going on

from the Metro Hospital. Let the medical report/papers be filed on behalf of D-1 on the next date of hearing.

Further, counsel for the defendant no. 1 is asked to give the statement whether any construction is being carried out at second floor or not, however, he is not ready to give the said statement in the court.

Defendant no. 2 is directed to file latest status report qua the construction over the suit property as on the next date of hearing. Defendant no. 1 is directed to remain present on the next date of hearing.

Status quo with regard to the suit property shall continue till the next date of hearing.

Put up on **04.06.2019**.

(Vineet Kumar)
Additional District Judge-01
Karkardooma, Delhi/16.05.2019