

**Through Video Conference via CISCO WebEx**

**CS No.: 214/2021**

**Meera Jain Vs. Rahul Gupta**

24.09.2021

Present: Sh. Irfan Ahmed, Ld. Counsel for the Plaintiff.  
Sh. Vikas Arora, Ld. Counsel for the Defendant.

Written statement is stated to have been filed belatedly. It is not disputed that written statement is within 90 days. The same is allowed to be taken on record. Replication, if any, to be filed before the next date.

An application seeking directions filed by the plaintiff awaits disposal. The plaintiff's concern is that there is necessity for plaintiff's visit for the purpose of the verification of the structure, changes, if any, and as such the plaintiff needs directions from this Court allowing the plaintiff and architect to visit the property for proper measurements. It is submitted that plaintiff could not originally file the site plan of the premises as the plaintiff did not have any access to the portion which is stated to be in occupation of the defendant. Suit is for possession. The defendant is stated to be lessee.

Parties have been heard at length. Considering that there is no serious opposition to the plaintiff's side visit for the purpose aforementioned. Application is disposed off. The plaintiff or in alternative the Ld. Counsel for the plaintiff or his colleague with an authority letter, along with the architect/draftsman, would be free to visit the property on 03.10.2021 between 12:00 Noon to 3:00PM for the purpose of preparation of the site plan.

The defendant is directed to let the plaintiff/ the Ld. Counsel for the plaintiff, along with Architect, to have access to all portions of the second floor, which is in question in the present proceedings and let them have

measurements of the rooms etc. for the preparation of the site plan. It is clarified that the plaintiff side would not have any picture or video taken of the premises in as much as there are privacy concerns of the defendant.

The site plan to be filed before the next date of hearing with advance copy to Ld. Counsel for the defendant.

Parties are at liberty to file original documents for the purpose of admission/denial.

Matter to now to come up for consideration on other pending applications. Parties are also directed to be present in person physically/virtually as the case may be, for exploring the possibility of settlement on the next date of hearing.

Reply to the application U/o XXXIX Rule 10 CPC is also stated to have been filed.

List on 07.01.2022.

(Nikhil Chopra)  
ADJ-02/South District/Saket Courts  
New Delhi/24.09.2021