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CS DJ ADJ 355/19

SURAJ MALIK Vs. RAJNI SINGH

25.01.2022

Matter taken up today through Virtual Mode in view of Order No. 1/RG/DHC/2022 dated 12.01.2022 with Endst. No. 2-33/RG/DHC dated 12.01.2022 of Hon'ble High Court of Delhi and Office Order No. 1325-1451/PD&SJ/NK/DWK/2022 dated 13.01.2022 of Ld. Principal District & Sessions Judge (S-W), Dwarka Courts, New Delhi.

Present: Plaintiff in person.
Ms. Ritu Munjal, Ld. Counsel for defendant along with defendant.

Replication has already been filed on behalf of plaintiff to the WS filed by defendant. Let copy of the same be supplied to opposite party through on-line/off-line modes.

Heard upon the application u/o XXXIX Rules 1 and 2 of CPC.

Through interim application, relief has been sought by the plaintiff that defendant or her agents may be restrained from creating any kind of third party interest qua the possession of the suit property i.e. built up portion on the ground floor measuring approximately 55 sq. yds and built up portion of the said property measuring approximately 27.5 sq. yds. on the first floor in plot no. 304, Village Hastal, Block G-1, Uttam Nagar, New Delhi which is marked in red in site plan B during pendency of the suit.

It is not disputed that defendant is in possession of the suit property and Ld. Counsel for defendant stated that defendant is having no objection upon the relief

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sought by the plaintiff through interim application as she is having no intention to create any third party interest qua the possession of the suit property. Therefore, in view of the facts and circumstances and submissions made, defendant is hereby restrained from creating any kind of third party interest qua the suit property i.e. built up portion on the ground floor measuring approximately 55 sq. yds and built up portion of the said property measuring approximately 27.5 sq. yds. on the first floor in plot no. 304, Village Hastal, Block G-1, Uttam Nagar, New Delhi during pendency of the suit.

Application u/o XXXIX Rules 1 and 2 of CPC is allowed and disposed of accordingly.

Put up for admission/denial of documents and for settlement of issues on **08.06.2022**.

(Dr. Jagminder Singh)
ADJ-03/South West
Dwarka / New Delhi
25.01.2022 (A)