

15 CS DJ ADJ 569/19 SUKHPAL Vs. VIJAY PAL AND ANR

05.12.2023

Present: Sh. Ankur Sharma, Ld. Proxy counsel for Sh. Vikas Sharma, Ld. Counsel for plaintiff.

Sh. Arvind Vashisth, Ld. Counsel for both the defendants.

At this stage, Ld. Counsel for plaintiff submits that, his application u/o XXXIX Rule 1 and 2 CPC is pending for disposal.

Submissions heard on behalf of both parties.

During the course of arguments, Ld. Counsel for both parties stated that, *status-quo* may be maintained w.r.t. title qua suit property **i.e. RZ-G-10, Street No. 4, Khasra No. 99/3, Colony known as Vishwas Park, Uttam Nagar, Near Dwarka Sector-3, New Delhi** during the pendency of the present suit.

In view thereof, **application under Order XXXIX Rule 1 and 2 CPC is disposed off.** Defendants are restrained from creating any third party interest in the suit property i.e. **RZ-G-10, Street No. 4, Khasra No. 99/3, Colony known as Vishwas Park, Uttam Nagar, Near Dwarka Sector-3, New Delhi**, till the disposal of the present suit. Ld. Counsel for defendant undertakes to comply above order.

Perusal of the record reveals that, another application u/s 151 CPC is pending before this court. Submissions heard on behalf of both parties. **Plaintiff is directed to show the maintainability of said application on the NDOH.**

Evidence by way of affidavit filed on behalf of PW-1. Ld. Counsel for plaintiff submits that, he wants to examine only one witness on behalf of plaintiff i.e. plaintiff himself. Copy supplied.

PW-1 is present, partly examined, his further examination-in-chief deferred for want of original documents.

Put up for PE on **19.03.2024**.

(SHILPI M JAIN)
ADJ-05 (SW)/Dwarka Courts
New Delhi: 05.12.2023