

1 CS DJ ADJ 1056/24  
PUSHPA Vs. MANOJ KUMAR

21.02.2025

*Both regular stenographers are on leave today.*

*Lawyers are abstaining from work w.e.f. 17.02.2025 on account of Advocate Amendment bill 2025.*

Present: Ld. Proxy Counsel for plaintiff through VC.  
Plaintiff in person.  
Defendant no.1 and 2 in person.

W/S, reply to the application u/o XXXIX Rule 1 and 2 CPC, application u/s 5 of Limitation Act, list of documents alongwith documents and fresh vakalatnama filed on behalf of defendant no. 2. Let copy of the same be served to the plaintiff within a week.

Considering the facts and circumstances of the present case, delay in filing of W/S stands condoned. W/S is taken on record.

*Accordingly, the application u/s 5 of Limitation Act stands disposed off.*

Replication, if any, be filed by the plaintiff within four weeks thereafter, with advance copy to defendant no. 2.

Defendant no. 1 is directed to file W/S within stipulated time with advance copy to the opposite party.

At this stage, plaintiff pressed upon pending application u/o XXXIX Rule 1 and 2 CPC.

Submissions heard. Record perused.

As per defendants, they are residing separately, wherein, defendant no. 2 is residing at the suit property and defendant no. 1 is residing

**Contd. 2...**

at some other rented accommodation. Plaintiff also conceded to the above fact.

Defendants present in the court submitted that they have no objection if status quo is maintained in the suit property.

In view thereof, defendants are hereby restrained to create any third party right qua suit property i.e. RZ-B 13A, Gali No. 1, New Janki Puri, Uttam Nagar, West Delhi, Delhi-110059, during the pendency of the present proceedings. **Status quo be maintained.**

*Accordingly, application under Order XXXIX Rule 1 and 2 CPC stands disposed off.*

Now come up for further proceedings on **09.04.2025.**

(SHILPI M JAIN)  
DJ-05 (SW)/Dwarka Courts  
New Delhi: 21.02.2025