

Civ DJ 326/2023
Sh Rajesh Saini
Vs. Smt. Suman

19.07.2023

Present: Plaintiff along with Ld. Counsel Sh. Sanjay Kumar.
Mr. Adesh Kumar, son of defendant.
Sh. Rajat Sharma, Ld. Counsel for defendant
(through VC).

Exemption of the defendant is sought orally stating that due to ill health, she is unable to appear before the Court today.

In the interim application of the plaintiff, one of the reliefs prayed for is that the defendant be directed to provide key of the lock put on the door leading to the roof of the property to attend water tank, etc.

Mr. Adesh Kumar, son of defendant present in the Court, has stated that on behalf of the defendant he has instructions to state that the defendant has no objection in allowing the plaintiff to access the roof / terrace of the property in question for once in order to maintain / clean the water tank installed by him. Although, the plaintiff is also praying for permission for cleaning / servicing of outdoor unit of split air-conditioner installed by him on the roof / terrace, however, this is opposed by Ld. Counsel for the defendant stating that the plaintiff has installed the same without any right and that he has already been asked to remove the same from there.

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After persuasion of this Court, both the parties have agreed to the term that on coming Sunday i.e., 23.07.2023, the defendant / her family member / representative shall allow the plaintiff to access / visit the roof / terrace of the property in order to maintain / clean the water tank, during usual hours of the day.

At this stage, both sides have also agreed to explore the possibility of settlement and preferred mediation at Mediation Centre, Tis Hazari Courts.

Consent of plaintiff as well as son of defendant (on behalf of defendant) is taken separately through mediation form.

Plaintiff to furnish copy of first page of the plaint, memo of parties and prayer clause of plaint in course of the day, to facilitate referral of the matter to Mediation Centre.

Parties to appear before Mediation Center, Tis Hazari Courts, on **22/07/2023 at 02:00pm**.

Put up for mediation settlement report, if any / further proceedings before the Court on **26/08/2023**.

**(GOPAL SINGH CHAUHAN)
ADJ-03, WEST/DELHI
19.07.2023**