

Civ DJ 613355/16

Shital Singh Vs Manmohan Singh & Ors.

07.3.2018

Present: Sh. Hitender Kapoor, Ld. Counsel for plaintiff.  
Sh. Jagdish Kumar, Ld. Counsel for defendant no.1 and 3.  
Defendant no.2 present in person.

Plaintiff has moved the present application seeking restraining the defendants no.1 and 2 for creating third party interest in the property in question and further seeking direction for the tenants of suit property to deposit the rent in the Court. Plaintiff has also annexed the list of tenants giving the names of the tenants in the respective shop along with rent.

Ld. Counsel for defendants no.1 and 3 who is present in the court, submits that except shop no.3 for the remaining shops and rooms said list is not disputed. It is further stated that the shop no.3 got vacated from tenant Bijay before institution of the suit and now the same is in the possession of defendant no.3. It is further stated that the defendants are not intending to get the shops vacated or to change the status of possession of the suit property in any manner whatsoever.

Further time is sought on behalf of defendants to file the reply to the application.

The present suit is a suit for partition. The parties have already been directed to maintain the status quo with regard to title vide order dated 25.10.2017.

Considering the submissions made today on behalf of defendants and considering the fact that the possession of the tenants is not disputed, let status quo with the regard to the possession of property bearing no. B-356, Hari Nagar, Clock Tower, New Delhi be maintained till the next date of hearing.

Defendants are at liberty to file the reply to the application on or before next date of hearing after supplying the copy to the opposite party or the counsel

against due acknowledgment before next date of hearing.

Matter is listed for date fixed i.e 29.05.2018.

**Sugandha Aggarwal**  
**ADJ-07/West/Delhi**  
**07.03.2018**