

## SMT KAMLESH BHATIA Vs. SMT RUBY CHATRATH

12.12.2025

Present: Sh. Opinder Arora, Ld proxy counsel for plaintiff.  
Sh. Sandeep Thukral, ld counsel for the defendant.

Ld counsel for the defendant has supplied the pen drive to Ld counsel for the plaintiff.

Matter has been received unsettled from the Mediation cell.

Application under Section 39 (2A) with Pen drive has been filed on behalf of the defendant. Copy has already been supplied on the e-mail Id of ld counsel for the plaintiff.

Replication has already been filed on behalf of the plaintiff.

Affidavits of admission/denial of documents have already been filed on behalf of the defendant as well as plaintiff.

Admission/denial of documents has been completed in the present case.

Pleadings have been completed in the present case.

Ld counsel for the parties request the court to frame issues.

From the pleadings of the parties, following issues have been framed.

**ISSUES.**

1. Whether the plaintiff is entitled for decree of permanent injunction, thereby restraining the defendant to immediately stop throwing water/detergent water/oily water for anything, which may

dangerous in the smooth using of stairs, on the stairs forming part of property bearing no. 46D,GH-10, Sundar Apartment, Paschim Vihar, Delhi? OPP.

2. Whether the plaintiff is entitled for decree of mandatory injunction, thereby directing the defendant to remove the flower pots put on the staircase/suit property in the interest of justice? OPP.

3. Whether the plaintiff is entitled for decree of obtaining damages from the defendant for an amount of Rs. 8 lacs, on account of medical expenses and mental pain, agony, harassment, depression etc suffered by the plaintiff due to the act of the defendant? OPP.

4. Whether the plaintiff is entitled for receiving interest @ 24 % per annum on the abovesaid amount of Rs. 8 lacs, if yes, for which period? OPP.

5. Whether the plaintiff has not approached the court with clean hands and therefore, he is not entitled to any relief in the present case? OPD.

6. Whether the suit of the plaintiff is bad for non-joinder of necessary parties? OPD.

7. Relief.

No other issue arise or pressed for.

At this stage, Ld counsel for the defendant submits that his application filed under order 1 rule 10 CPC is pending for disposal.

Ld counsel for the plaintiff seeks time for filing reply of abovesaid application before NDOH by supplying advance copy to ld counsel for defendant.

Put up for consideration of abovesaid application on **16.03.2026.**

(SHIV KUMAR)  
DJ-02 (W)THC:Delhi  
12.12.2025