

Balbir Singh Vs. Babli

Present: Sh. Manoj Kumar, Advocate for the plaintiffs.  
Sh. Rakesh Singh Saroha, Advocate for the defendants.

In pursuance of notice Sh. Rakesh Singh Saroha has appeared on behalf of defendant and filed Power of attorney. Same is taken on record.

At this stage Ld. Counsel on behalf of the plaintiff pressed for a relief of ad-interim status quo in its favour. It is pleaded that the defendant, namely, Babli is illegally constructing her house, in the common courtyard which belongs to all the parties living in the vicinity, without obtaining their permission and consent. It is submitted that by the said acts of defendant, hindrance in the ingress and egress of the plaintiff has been caused which ultimately infringes his easementary rights to enjoy peaceful possession. Further, due to belligerent behavior of the defendant, the parties have entered into a scuffle which consequently resulted into lodging of an FIR against the defendant. It is submitted that if the relief of status quo is not granted in favour of the plaintiff then irreparable loss shall be caused to him which cannot be compensated in terms of money. Thus, prayed accordingly.

Heard.

At the outset, it is pertinent to note that, at this stage, the court is not expected to conduct a roving enquiry as to the genuineness of the site plan and other documents placed on record and court is only required to consider whether the plaintiff is able to prove any prima facie case in his favour or not. It is pertinent to note that the present suit is second round of litigation between the parties as prior to filing of the present suit, one suit was previously filed in the year 2005 regarding same facts & reliefs which ultimately culminated on the voluntarily statement suffered by the defendant that she would not construct over the area other than her own share and it was on her statement only that the suit was dismissed or withdrawn. After considering the contentions raised, documents placed on record and existing state of affairs, this Court is of the considered opinion that better interest of justice would be served if the parties are directed to

maintain status quo regarding construction over the suit property and in order to prevent multiplicity of proceedings the **parties are directed to maintain status quo regarding construction over the suit property till the next date of hearing.**

Case stands adjourned to **15.09.2026** for filing written-statement and reply to stay application on behalf of defendant.

**Copy of this order be given to both the parties free of cost.**

Date of Order: 10.08.2026  
Himanshu

(Ankit Rana)  
CJ(JD), Sonipat  
UID No. HR0719