

SURESH KUMAR
Vs.
MUKESH AND ORS

05.07.2023

Present : Ms. Pooja Gupta , Ld. Counsel for Lrs of the
plaintiff with both the Lrs.
Sh. N.S. Sisodiya , Ld. Counsel for the defendant no.
2, 5 and 6 along with defendant no. 6 in person.
Defendant no. 3 in person.
None for the other defendants.

Matter was listed for arguments on the application
under Order 39 Rule 10 CPC filed by the plaintiff seeking
deposit of one fourth share of rent of two shops which are the
subject matter of the present suit.

During the course of arguments, Ld. Counsel for the
defendants has submitted that only one shop is currently rented
out, which is an admitted fact as the same is mentioned in the
plaintiff's application also. Further, it is stated that the monthly
rent of that shop was Rs. 9500/- earlier and w.e.f May, 2023, the
rent has been enhanced to Rs. 11,000/- per month. Further, it is
stated that the defendants have been paying the plaintiff's share to
them in cash since always and the defendants have no objection
to deposit the plaintiff's one fourth share of rent in their bank
account. Allowed.

The defendants are directed to deposit the one fourth
share of rent w.e.f this month in the bank account of Smt. Kusum
Lata i.e. Lr of the plaintiff on or before 7th of each month. The
plaintiff shall supply the details of her bank account to the

contd/-

defendant no. 6 within three days under proper receipt so as to ensure compliance of this order.

The plaintiff shall be at liberty to assert her claim over the arrears of rent in the trial of the present matter as it is stated that no rent has been paid by the defendants to them till date.

Further on request, the defendants are directed to place on record the copy of the rent agreement on record by NDOH with advance copy to the plaintiff.

Put up for further proceedings for **16.10.2023**.

(RUCHIKA SINGLA)
ADJ-03 (N/W)
Rohini Courts :Delhi/05.07.2023