

**PRADEEP MALHOTRA
VS.
MANISH MALHOTRA**

11.10.2022

Fresh suit has been received by way of assignment. It be checked and registered as per law.

Present : Sh. Amit Sanduja and Sh. Divyam Aggarwal, Ld.
Counsels for the plaintiff.

Heard. Perused.

Issue summons of the suit for settlement of issues to the defendant on filing of PF and RC/speed post returnable on next date of hearing. PF be filed within 07 days from today.

The defendant is directed to file his written statement within 30 days from the date of service of the summons. Endorsement be made on the summons accordingly.

Ld. Counsel for the plaintiff has pressed upon the application u/o 39 rule 1 and 2 CPC. He submits that there is an apprehension that the defendants may create a third party interest in the suit property. Hence, an injunction is sought regarding the same.

Record perused.

It is the case of the plaintiff that the plaintiff is the owner of the suit property. He has placed on record copy of Sale Deed dated 10.08.2011 executed in respect of the said property in his favour. Hence, prima facie, it seems that the plaintiff is the owner of the suit property. The defendants are the brother and sister-in-law of the plaintiff who have been allegedly residing in the property as licensees of the plaintiff. Hence, in view of the allegations made by the plaintiff, allowed. The defendants are

-: 2 :-

restrained from creating any third party interest in the suit property i.e. H No. 292, Second Floor, Pocket E-21, Sector-3, Rohini, Delhi-85 till the NDOH. Provisions of order 39 rule 3 CPC be complied with by the plaintiff.

Order be given dasti.

Put up for appearance of the defendants and further proceedings on **17.01.2023**.

(RUCHIKA SINGLA)
ADJ-03 (N/W)
Rohini Courts :Delhi/11.10.2022