

CS No. 138/26 Anil Kumar Sharma Through SPA Sh. Sunny Sharma Vs. Vinod Kumar Sharma

30.03.2026.

Fresh suit received by way of assignment. Be checked and registered as per rules.

Present : Sh. S.C. Sagar and Ms. Swati, Ld. Counsels for the plaintiff.

It is submitted by the Ld. Counsel that the present suit has been filed seeking relief of permanent and mandatory injunction and declaration with damages from the defendants no. 1, 2 and 3. It is submitted that plaintiff and his wife are senior citizens and they are being harassed by defendant no. 3 on daily basis as the door of the terrace is being locked by him. It is submitted that in addition to this the defendants are causing enormous difficulty in the life of plaintiff and his wife by creating nuisance. It is submitted that time and again the complaints have been made to the concerned SHO. It is submitted that for the protection of the plaintiff and his wife appropriate orders may be passed.

Ld. Counsel has submitted that defendants no. 1 and 2 have leased out the property to defendant no. 3 of their portion and as per the lease agreement the right of the plaintiffs to use the terrace is unhindered. It is prayed that defendant no. 3 may be directed to ensure the compliance of the said term of the lease agreement which is embodied in clause 9 and clause 15 and 15 (e). It is submitted that along with the suit the application under Order 39 Rules 1 and 2 CPC has been filed.

Heard. Perused.

Issue summons to all the defendants for settlement of issues on filing of PF, RC, speed post, approved courier returnable on **18.08.2026**

In the meantime it is directed to concerned SHO to ensure safety of the plaintiff and his wife being senior citizens. Further, defendant no. 3 is directed to comply clause 9 and clause 15 and 15 (e) of the lease agreement with defendants no.1 and 2 till NDOH.

(Dr. Pankaj Sharma)
DJ-02 & Waqf Tribunal
NDD/PHC/ND/30.03.2026.