

CS No.2060/22

CNR NO. DLCT030042732022

MOHD. SHUAIB KHAN VS. DMC AND ORS.

22.03.2023

Present : Shri S. Bharti, Id. counsel for the plaintiff
Shri Rajiv Garg, ALO for defendant no.1/MCD with
Shri Hanumant Trivedi, AE (B), Shri Varun Arora, JE (B), City
SP Zone and counsel, Ms. Sidhi Arora
Shri Varun Goswami and Shri Rajesh Singh, Id. counsels for
the defendant no.3 with defendant no.3
None for the defendant no.2/SHO PS Sadar Bazar
Report of Local Commissioner already filed. Soft copy of the
same provided to the parties.

It is submitted by the counsel for the plaintiff that on the last
date of hearing Id. counsel for defendant no.3 made wrong submission
before this Court that suit property consists only ground floor. However, as
per report of local commissioner, the suit property consists of ground floor,
first floor and second floor. Status report has already been filed on behalf of
MCD on 16.01.2023 and as per the same, suit property has been booked for
unauthorized construction at first floor and second floor vide notice dated
03.01.2023.

Arguments on the application under Order 7 Rule 11 CPC as
well as injunction application under Order 39 Rules 1 & 2 CPC have been
heard. Both the parties are at liberty to file written arguments within 15
days from today.

Matter be re-listed for clarifications, if any/orders on
10.04.2023.

(Anuj Kumar Singh)
ASCJ (Central)/Delhi/22.03.2023