

12 CS 492/25

MUNNI DEVI - senior citizen Vs. URMILA KUMAR
26.09.2025

1st call at 12:28pm

Present: Sh. Arun Kaushik, Ld. Counsel for plaintiff
along with plaintiff.
Sh. Raj Kumar Bhatia, Ld. LAC for plaintiff
through VC.
Ms. Gulshan Jhan, Ld. Counsel for defendant
through VC.
Defendant in person.

On request of Ld. counsel for defendant, matter is
pass over for 30 minutes.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
26.09.2025

2nd call at 1:23pm

Present: Sh. Arun Kaushik, Ld. Counsel for plaintiff
along with plaintiff.
Sh. Raj Kumar Bhatia, Ld. LAC for plaintiff
through VC.
Ms. Gulshan Jhan, Ld. Counsel for defendant
through VC.
Defendant in person.

(2)

On request of Ld. counsel for defendant, matter is pass over for 2:00pm.

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
26.09.2025

3rd call at 2:06pm

Present: Sh. Arun Kaushik, Ld. Counsel for plaintiff
along with plaintiff.
Ms. Gulshan Jhan, Ld. Counsel for defendant along
with defendant.

As per report, defendant has been duly served through self on 25.09.2025.

WS, reply to the application under Order XXXIX Rule 1 & 2 CPC, reply to the application under Order XXXIII Rule 3 CPC, list of documents along with documents filed on behalf of defendant. Copy supplied.

Fresh Vakalatnama and an application under Order XXXIX Rule 1 & 2 CPC filed on behalf of defendant. Copy supplied.

Ld. counsel for plaintiff submits that plaintiff has no intention to sell, transfer or create any third party right or interest over the suit property. He further submits that defendant be also restrained from selling, transferring or creating any third party right over the suit property. He further submits that defendant be also restrained from creating any hindrance/obstructions from

(3)

enjoying the suit property. He further submits that plaintiff undertakes not to create any obstructions/hindrance for defendant from enjoying the suit property.

Ld. counsel for defendant on instruction submits that defendant has no intention to create any third party right/interest in the suit property. She further submits that defendant undertakes not to create any obstructions/hindrance for plaintiff from enjoying the suit property. She further submits that plaintiff be also restrained creating any third party right or interest in the suit property and creating any sort of obstructions/hindrance.

Separate statements of plaintiff and defendant recorded in this regard. They are bound by their statement.

In view of the submissions, contentions made in the applications, considering the statement given by plaintiff and defendant, **plaintiff and defendant are restrained from selling, transferring or creating any third party right or interest in the suit property, during the pendency of the present suit. Both the parties are also restrained from creating any sort of obstructions/hindrance for each other from enjoying the suit property, during the pendency of the present suit.**

Application under Order XXXIX Rule 1 and 2 CPC filed by plaintiff, application under Section 151 CPC for early hearing and the application under Order XXXIX Rule 1 & 2 CPC filed by defendant are accordingly disposed of.

Plaintiff is at liberty to file replication, if any and affidavit of admission and denial of documents within 30 days from today with an advance copy to defendant.

(4)

Parties are directed to produce original documents on NDOH. Parties are also directed to file proposed issues, if any.

Parties are also directed to appear in person on NDOH for the purpose of admission and denial of documents and recording of their statements under Order X CPC, if required.

Put up for report from the mediation, if any, SDM, arguments on the application under Order XXXIII Rule 3 CPC, completion of pleadings, admission and denial of documents and framing of issues on **14.11.2025 i.e. date already fixed.**

(Deepanker Mohan)
District Judge-04
Shahdara District/KKD Courts/Delhi
26.09.2025