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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 147/2026 & I.A. 7464/2026**

HARSH DEWAN

.....Plaintiff

Through: Mr. Rahul Malhotra, Mr. Rishu Kant
Sharma, Mr. Aryan Jha, Advocates
(M:9871133184)

versus

PREM KUMAR CHAUDHARY AND ORS

.....Defendants

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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20.03.2026

I.A. 7464/2026

1. The present application has been filed on behalf of the plaintiff under Order XXXIX Rule 2A read with Section 151 of the Code of Civil Procedure, 1908 ("CPC").
2. Learned counsel for the plaintiff submits that the present suit has been filed with respect to the property bearing No. B-30, Kailash Colony, New Delhi-110048, on the basis of a Will dated 19th March, 1989, executed by late Shri Ishwar Das Choudhary, the testator.
3. It is submitted that when the matter came up for hearing before this Court on 17th February, 2026, this Court had passed the following order:

"xxx xxx xxx

20. Thus, considering the submissions made before this Court, it is directed that the plaintiff's access to his portion in the property in question, as well as the access of other family members/visitors of the plaintiff, shall not be obstructed by the defendants in any manner.

xxx xxx xxx"



4. It is submitted that despite being aware of the order passed by this Court, defendant no. 1 and his family members have chosen to create obstruction in the driveway/passage, thereby, disrupting the plaintiff's sole access to his portion of the suit property. Photographs have been attached with the present application, one of which, is reproduced as under:





5. Thus, it is submitted that there is willful disobedience by the defendant no. 1 and his family members of the order dated 17th February, 2026, whereby, this Court has categorically allowed unhindered access to the plaintiff, his family members and visitors, to the portion of the suit property, as occupied by the plaintiff.
6. Issue notice to the defendants, by all modes.
7. This Court has taken a very serious view of the issue raised before this Court. Despite the order dated 17th February, 2026 passed by this Court, defendant no. 1/ his family members have put construction material in the driveway, which is clearly in the teeth of the order passed by this Court on 17th February, 2026, wherein, it has been directed that unhindered access shall be granted to the plaintiff/his family members/visitors.
8. Accordingly, defendant no. 1 is directed to forthwith remove the construction material from the driveway, which obstructs the unhindered ingress and egress of the plaintiff.
9. Let the needful be done by the defendant no. 1, within a period of 24 hours, from the passing of this order.
10. In case, defendant no. 1 does not remove the said construction material within a period of 24 hours from this order, the Station House Officer (“SHO”), Police Station Greater Kailash 1, is directed to ensure that the said construction material is removed from the driveway of the suit property.
11. Let reply be filed by the defendant no. 1 to the present application, within a period of four weeks.
12. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.



13. List before the Court on the date already fixed, i.e., 17th July, 2026.
14. Order *Dasti* under the signatures of the Court Master.

MARCH 20, 2026/au

MINI PUSHKARNA, J