



\$~14

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

+ CS(OS) 508/2014

JOGINDER SINGH PANWAR & ORSPlaintiffs

Through: Mr. Ashish Kr. Bhagat, Adv. along
with P-1 in person.

versus

RAM KISHAN PAWAR & ORSDefendants

Through: Mr. Kapil Kishor Kaushik, Adv. for
D-2.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

%

17.03.2026

I.A. 5448/2026 (under Section 151 CPC by D-2 seeking repair of leakage, seepage, collapsed wall and roof of the partitioned share of D-2 in the suit property)

1. The present application has been filed by defendant no.2 seeking repair of leakage, seepage, collapsed wall and roof of the partitioned share in the suit property.
2. Mr. Ashish Kr. Bhagat, learned counsel for the plaintiffs submits that without prejudice to their rights and contentions, the plaintiffs do not have any objection if only repairs are carried out by defendant no.2 as prayed for and no further construction is carried out under the guise of repairs.
3. Mr. Kapil Kishor Kaushik, learned counsel for defendant no.2 submits that only repairs will be carried out. He undertakes that no construction under the guise of the repair will be carry out by the defendant no.2. The statement is taken on record and defendant no.2 is bound down to the same.
4. In view of the above, the application is allowed and defendant no.2 is permitted to carry out necessary repair work to bring the property in his



possession in a habitable condition.

5. The application stands disposed of.

CS(OS) 508/2014

6. Mr. Bhagat submits that the parties have been referred to mediation and the process of mediation is underway between the plaintiff and defendant no.2. He submits that other defendants are not appearing in the present suit.

7. He further contends that a meaningful settlement can be arrived only when other defendants, particularly defendant nos. 1, 3 to 5 also appears in mediation.

8. In view of the above, issue Court notice to defendant nos. 1, 3 to 5, by all permissible modes, returnable before mediation centre on 23.03.2026.

9. The plaintiff is also at liberty to serve the said defendants by way of *dasti* notice.

VIKAS MAHAJAN, J

MARCH 17, 2026/dss