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

+ **CS(OS) 470/2021**

MAHENDER KUMAR SHARMA

.....Plaintiff

Through: None.

versus

SWATI SHARMA

.....Defendant

Through: Ms. Jhum Jhum Sarkar, Mr. Nishant Menon, Mr. Amit Jain and Ms. Radhika Malik, Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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20.08.2024

I.A. 36870/2024 (under Order XXXIX Rule 2A CPC read with Section 151 CPC by the defendant)

1. The present application has been filed alleging willful disobedience and violation of the order dated 01.10.2021.
2. The learned counsel appearing on behalf of the defendant / applicant invites the attention of the Court to the order dated 01.10.2021 to contend that *vide* said order the parties were directed by this Court to maintain *status quo* in respect of title and possession of the suit property.
3. She submits that the defendant who is the niece of the plaintiff and admittedly one of the co-owner to the extent of 50% in the suit property lives in Bangalore and when she came to Delhi on 05.07.2024, she was not permitted to enter the premises by the plaintiff.



4. She submits that it is not in dispute that the defendant / applicant is in possession of the first floor, as well as, terrace floor of the suit property.
5. In view of the above, issue notice to the plaintiff / non-applicant by all permissible modes.
6. Let reply to the application be filed within a period of four weeks.
7. Rejoinder thereto, if any, be filed within two weeks thereafter.
8. Re-notify on 08.11.2024, the date already fixed.

VIKAS MAHAJAN, J

AUGUST 20, 2024

N.S. ASWAL