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

+ **CS(OS) 452/2019**

TANI SANDHU BHARGAVA

..... Plaintiff

Through: Mr. Raj Shekhar Rao and MR. Abhik
Chimni, Advs.

Versus

SHUMITA DIDI SANDHU

..... Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **03.09.2019**

IA No.12123/2019 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CS(OS) 452/2019 & IAs No.12124/2019, 12125/2019 & 12126/2019 (all u/O XXXIX R-1&2 CPC)

3. The office objection subject to which the suit is listed does not come in the way of entertaining the suit.
4. The plaintiff has sued the defendant for permanent injunction restraining the defendant from entering any part of property No.202, Jor Bagh, New Delhi and/or from interfering with the plaintiff's ingress and egress thereto and for *mesne* profits.
5. The plaintiff in the plaint itself has given the address of the defendant of ground floor of property No.202, Jor Bagh, New Delhi.
6. Considering the said fact, it appeared that the relief of possession was the more appropriate relief to claim, inasmuch as a decree of permanent

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injunction as sought even if the plaintiff succeeds, ordinarily is not entitled to be executed as a decree for possession. Not only so, the relief of *mesne* profits can accompany only the relief of possession and not a relief of permanent injunction.

7. On request, list on 11th September, 2019.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 03, 2019

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