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

+ **CS(OS) 612/2021**

HERAMB SINGH

.....Plaintiff

Through: Ms. Kirti Mewar and Ms. Kriti
Sharma, Advs.

versus

MADHURENDRA SINGH & ANR.

.....Defendants

Through: Mr. Dinesh Sharma, Adv. for D-1.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **27.03.2026**

**I.A. 8325/2026 (by plaintiff under Order XXXIX Rules 1 and 2 r/w
Section 151 CPC seeking permission to access, use and maintain the suit
property during the pendency of present suit)**

1. By way of present application, the plaintiff seeks permission to break open the existing lock placed on the suit property bearing no.8024, Pocket 7 and 8, Sector D, Vasant Kunj, New Delhi and to install a new lock and access the suit property for the purpose of inspection, preservation, upkeep and maintenance during the pendency of the present suit.
2. Ms. Kirti Mewar, learned counsel for the plaintiff submits that the plaintiff, as well as, the defendants are siblings and they do not reside in India.
3. She submits that the property had been entrusted to a close friend of their late father Sh. Dharmdeo N. Singh for the purposes of safe keeping and



maintenance. However, during recent visits of the plaintiff to India in March, 2026 plaintiff was informed that the said person is no longer maintaining the property and the keys of the property are also not traceable.

4. In this backdrop, the present application has been filed.

5. The defendant no.2 has already been proceeded *ex parte vide* order dated 28.11.2023.

6. In view of the above, issue notice. Mr. Dinesh Sharma, learned counsel for defendant no.1 accepts notice. On instructions, he submits that he has no objection in case the present application is allowed.

7. In view of the above, the application is allowed and the plaintiff is permitted to break open the existing lock of the aforesaid property and install a new lock.

8. The plaintiff is further at liberty to preserve and maintain the aforesaid suit property during the pendency of present suit.

9. The application stands disposed of.

VIKAS MAHAJAN, J

MARCH 27, 2026/dss