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

+ **CS(OS) 801/2022**

ARJUN DHAMIJA

..... Plaintiff

Through: Mr. Rajan Sabharwal, Mr. Raghav
Sabharwal, Mr. Harshit Kumar, Advs.

versus

ANJALI DHAMIJA & ANR.

..... Defendants

Through: Mr. Rakesh Tiku, Sr. Adv. with Ms.
Aarushi Tiku, Adv.
Mr. Ashish, Adv. for Mr. Lokesh
Bhardwaj, Adv.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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15.02.2024

I.A. 21424/2022

1. This is an application under Order XXXIX Rule 1 & 2 seeking an injunction restraining the defendants from selling, alienating, dispossessing, creating third party rights in property No. F-8/2, 1st Floor, Vasant Vihar, New Delhi-110057 (suit property) till the disposal of the suit.
2. Mr. Tiku, learned counsel appears for defendant No. 1 and Mr. Ashish, learned counsel for defendant No. 2. Both the learned counsels state that they will not sell, alienate or create third party rights without leave of the Court with respect to property No. F-8/2, 1st Floor, Vasant Vihar, New Delhi-110057.
3. As regards the second prayer i.e. directing defendant No. 1 not to create any hinderances/obstructions in peaceful possession of the suit



property, Mr. Tikku, learned senior counsel states that the plaintiff is not in possession of the suit property since 35 years. This is an issue which can be decided only after parties have led evidence.

4. For the said reasons, the application is disposed of, granting liberty to the plaintiff to agitate this issue at a time after the evidence has been led by the parties.

I.A. 9914/2023

5. This is an application by defendant No. 1 to file the compact disc/pen drive containing the video recording in support of the paragraph 45 and 46 of the Written Statement.

6. For the reasons stated, the application is allowed.

7. The compact disc/pen drive containing the video recording in support of the paragraph 45 and 46 of the Written Statement shall be taken on record.

8. The application is disposed of.

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9. Since the dispute is between brother and sister, the parties shall try and solve the issue with the able assistance of their counsels.

10. List on 30.04.2024 before Joint Registrar.

JASMEET SINGH, J

FEBRUARY 15, 2024/DM

Click here to check corrigendum, if any