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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 1078/2019**
ARTI KAPILA

..... Appellant

Through: Mr.Ashok Chapparia and Mr.Abhinav
Jain, Advocates.

versus

ALKA KAPILA & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **20.12.2019**

CM APPL.No.54623/2019

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

RFA 1078/2019 & CM APPL.Nos.54622/2019, 54624/2019

This appeal is against the judgment and decree dated 14.08.2019 whereby the suit for possession, mesne profits and permanent injunction filed by respondent No.1 was decreed against the appellant herein. Even the appellant was directed to pay Rs.7,000/- per month as mesne profits. The learned counsel for the appellant says the appellant *shared household* with the respondents.

In *Vinay Varma vs Kanika Pasricha and another* CM(M) No.1582/2018 decided on 29.11.2019 this situation is squarely covered in its para No.46(4) as under:-

4. If the relationship between the parents and the son are peaceful or if the parents are seen colluding with their son, then, an obligation to maintain and to provide for the shelter for the daughter-in-law would remain both upon the in-laws and the husband especially if they were

living as part of a joint family. In such a situation, while parents would be entitled to seek eviction of the daughter-in-law from their property, an alternative reasonable accommodation would have to be provided to her.

In the circumstances, notice be issued to the respondents through all modes returnable on 14.01.2020 and in the meanwhile, operation of the impugned judgment and decree shall remain stayed. Compliance of Order XXXIX Rule 3 CPC be made within three days from today. Order *dasti*.

YOGESH KHANNA, J.

DECEMBER 20, 2019

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