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

CNR No. DLHC010808482025

+ **CS(COMM) 1138/2025**

**TALKATORA INVESTMENTS AND TRADING COMPANY P
LTD**

.....Plaintiff

Through: Mr. Akshay Makhija (Sr. Adv) along
with Mr. Saurabh Seth, Ms.
Neelampreet Kaur, Mr. Abhiroop
Rathore, Mr. Kabir Dev, Mr. Sukhvir
Singh, Advs.

versus

M/S SANDOZ RESTAURANTS PVT LTD & ANR.Defendants

Through: Mr. Rakesh Tiku (Sr. Adv) along with
Ms. Aarushi Tiku, Mr. Monu Kumar,
Mr. Jai Girdhar, Ms. Manya Talwar,
Advs. for D1

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **12.08.2026**

IA No.21712/2026 (U/O XXXIX R 1&2 on behalf of plaintiff)

1. This is an application filed by the plaintiff seeking that the defendant no.1 be restrained from obstructing the plaintiff's access to and use of the Second Floor and Terrace of the property bearing No. 54, Ring Road, Lajpat Nagar-III, New Delhi-110024 and the common driveway and staircase leading thereto.
2. Learned senior counsel for the plaintiff submits that the office of the plaintiff is located, and has been running from the Barasati Room on the Second Floor of the property in question. He further submits that files/ documents and other office material of the plaintiff is lying in the said room of the property.



3. Mr. Rakesh Tiku, learned senior counsel appearing on behalf of the defendant no.1 submits that this application has been filed on the false premise that the plaintiff is running an office from the Second Floor of concerned premises. He submits that the Second Floor of the said property is an open terrace area where no office of the plaintiff is currently running/ operational. In this regard, he relies upon the photographs annexed along with I.A. No 12246/2026.

4. After some hearing, with mutual consent of the parties, the following directions are issued:-

- i. The defendant no.1 shall not prevent the ingress and egress of the plaintiff or its employees into the Second Floor of the property in question.
- ii. It is assured and undertaken on behalf of the plaintiff that in the guise of this order, the plaintiff shall not induct any miscreant in the second floor of the property, solely with a view to disturb the defendant no.1's possession of the ground and first floor thereof.
- iii. To ensure and to verify that the plaintiff is given access to the second floor of the property, and to ascertain the present status of the second floor of the property, at joint request, Ms. Samridhi Vats, Advocate (Mob. No.: +91 8929270522) is appointed as the Local Commissioner. The Local Commissioner shall visit the property at a date/time to be communicated by the Local Commissioner to the parties, and preferably within a period of three days from today. The authorized representatives of the parties shall remain present during such visit.

5. The Local Commissioner shall be entitled to take appropriate photographs/ videos of the Second Floor of the property in question for the



aforesaid purposes.

6. The parties undertake to cooperate with the Local Commissioner for the aforesaid exercise.
7. The fees of the Local Commissioner shall be Rs. 1,50,000/- (in addition to expenses) which shall be shared equally between the parties.
8. Let the report of the Local Commissioner be placed on record before the next date of hearing.
9. List on 03.09.2026.

SACHIN DATTA, J

AUGUST 12, 2026/uk