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

+ **CS(OS) 952/2024**

METHODIST MISSIONARY TRUST ASSOCIATION AND ORS

.....Plaintiffs

Through: Mr. Arun Francis and Mr. George Francis, Advocates

versus

MR. DEEPAK MARTIN CALEB AND ORS

.....Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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02.12.2024

I.A. 46729/2024 (Exemption)

Allowed, subject to all just exceptions.

CS(OS) 952/2024

1. The present suit is one for possession, injunction, mesne profit and damages.
2. The facts as stated in the plaint are that the father of Defendant No.1, who is the husband of Defendant No.2 was working as a Presbyter-in-charge at A-24, Green Park, New Delhi-110016 being run by the Plaintiff. It is stated that the Defendants were given permission to reside in the rear portion of the church. It is stated that the father of Defendant No.1 passed away on 30.08.2021. It is stated that the accommodation to the Defendants were given purely on license basis since the father of Defendant No.1 was a priest



in the church and was offering his services to the church. It is stated that after the death of the father of Defendant No.1, it is the duty of Defendant Nos.1 and 2 to vacate the premises. It is stated that despite efforts and negotiations, the Defendant Nos.1 and 2 are not vacating the premises, and therefore, the present suit has been filed by the Plaintiff for possession, injunction, mesne profit and damages.

3. Let the plaint be registered as a suit.
4. Issue summons to the Defendants, to be served through all permissible modes, including through electronic mode and *Dasti* as well, returnable on 17.01.2025 before the learned Joint Registrar (Judicial) for further proceedings.
5. Let the Written Statement(s) to the plaint be positively filed within the time prescribed under the Delhi High Court (Original Side) Rules, 2018 along with the affidavit(s) of admission/denial of the documents of the Plaintiff, without which the Written Statement(s) shall not be taken on record.
6. Liberty is given to the Plaintiff to file the Replication within the time prescribed under the Delhi High Court (Original Side) Rules, 2018 along with the affidavit(s) of admission/denial of documents of the Defendants, without which the Replication(s) shall not be taken on record.

I.A. 46728/2024

1. This application under Order XXXIX Rules 1 and 2 CPC has been filed on behalf of the Plaintiff seeking ad-interim ex-parte injunction in favour of the Plaintiff and against the Defendants from alienating or creating any third party interest in the suit property.
2. It is stated that the Plaintiff apprehends that the Defendants might take



steps to transfer the suit property to a complete stranger or create third party rights over the suit property.

3. Issue notice.
4. On taking steps, let notice be issued to the Defendants through all permissible modes, including *Dasti*.
5. List before Court on 18.03.2025.

SUBRAMONIUM PRASAD, J

DECEMBER 2, 2024

S. Zakir