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

+ **CS(OS) 836/2025 with I.A. 29042/2025 and I.A. 29043/2025**

MRS. SATHY GOPALA KRISHNANPlaintiff

Through: Mr. Nikhil Palli, Mr. Anirudh Bakhru,
Ms. Vasundhara Bakhru, Ms. Niyati
Razdan & Mr. Vaidushya Parth,
Advocates.

versus

**M/S LA CASSA CONSTRUCTION
LLP & ANR.**

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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21.11.2025

I.A. 29043/2025 (seeking leave to file court fees within three (3) weeks)

1. Counsel appearing on behalf of the plaintiff submits that the requisite court fees shall be filed within three (3) weeks from today.

1.1. The aforesaid statement is taken on record.

2. The application stands disposed of.

CS(OS) 836/2025 with I.A. 29042/2025 (under Order XXXIX Rule 1 & 2 of CPC)

3. The present suit has been filed seeking relief of permanent and mandatory injunction, *qua* the Basement and Ground Floor of property bearing no. C-1/13, Safdarjung Development Area, New Delhi-110016 ('suit property').

4. It is the case of the plaintiff that the plaintiff had purchased the



aforesaid suit property from the defendants, *vide* Registered Sale Deed dated 7th January, 2025.

5. Subsequent to the execution of the aforesaid sale deed, the property was duly mutated in the name of the plaintiff by the Municipal Corporation of Delhi.

6. It is the case of the plaintiff that the plaintiff had handed over the said property to the defendants for carrying out certain interior works and had paid a sum of Rs. 1,05,00,000/- for the same.

7. However, the defendants have refused to hand over the possession of the property back to the plaintiff.

8. Issue summons in the suit and notice in the present application to the defendants through all permissible modes.

9. The summons shall state that the written statement shall be filed by the defendant within thirty (30) days from the date of the receipt of summons. Along with the written statement(s), the defendants shall also file affidavit(s) of admission/denial of the documents of the plaintiff, without which the written statement(s) shall not be taken on record.

10. Liberty is given to the plaintiff to file replication(s), if any, within thirty (30) days from the receipt of the written statement(s). Along with the replication(s) filed by the plaintiff, affidavit(s) of admission/denial of the documents of the defendants be filed by the plaintiff.

11. Rejoinder(s), if any, to the reply(ies) to the application filed by the defendants, shall be filed within two (2) weeks after the receipt of such reply.

12. It is made clear that any unjustified denial of documents may lead to an order of costs against the concerned party.



13. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the timelines.
14. Based on the aforesaid narration of facts, a *prima facie* case is made out in favour of the plaintiff. Balance of convenience is in favour of the plaintiff and against the defendants and an irreparable injury will be caused to the plaintiff if any third party right is created in the suit property.
15. In view thereof, defendants are restrained from creating any third-party rights in the suit property till the next date of hearing.
16. Compliance under Order XXXIX Rule 3 of Code of Civil Procedure, 1908, shall be done within three (3) days.
17. List before the Court on 18th December, 2025.
18. List before the Joint Registrar on 28th January, 2026.

AMIT BANSAL, J

NOVEMBER 21, 2025
at