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

+ **CS(OS) 1613/2010**

SUBHASH ARORA

.....Plaintiff

Through: Mr.Raman Kapoor, Sr. Advocate with
Mr.Varun Kapoor, Advocate.

versus

MEENA CHAWLA

.....Defendant

Through: Mr.N.P. Singh and Mr.Barun Dey,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **29.04.2025**

I.A. 10757/2025 (under Order XXXIX Rules 1 and 2 of CPC)

1. Heard, Mr.Raman Kapoor, learned senior counsel appearing on behalf of the plaintiff.
2. Mr. N.P. Singh, learned counsel for the defendant, on instructions, submits that the interim order dated 12.08.2010 is still in operation and the defendant remains in actual possession of the suit property. He also contends that since, no third party rights are being created in respect of either the title or the physical possession of the suit property, the defendant is entitled to raise construction on the suit property, *albeit* at her own risk and cost.
3. The aforesaid submission is taken on record.
4. The Court, however, directs that if any construction is carried out by

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the defendant, it shall be strictly at her own risk and cost and shall be subject to further directions of the Court. The defendant shall not claim any special equity or benefit on account of such construction at the time of the hearing of the main civil suit.

5. With the aforesaid observations, the instant application stands disposed of.

APRIL 29, 2025
Nc/sph

PURUSHAINDRA KUMAR KAURAV, J

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