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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 1164/2015

SAAHIL BHATIA

Through

..... Plaintiff

Mr. Raman Kapur, Senior Advocate
with Mr. Somesh Arora, Ms. Avani
Malik and Mr. Yuvraj Mishra,
Advocates

versus

KASHYAP COMMERCIALS PVT LTD Defendant

Through

Mr. Amit Sibal, Senior Advocate with
Mr. Anand M. Mishra, Advocate

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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08.10.2018

I.A. 13872/2018

Present application has been filed seeking to restrain the defendant and its successors in interest not to part and/or to create any third party interest relating to the property involved in the present matter.

The initial interim order dated 28th April, 2015 was vacated on 5th September, 2016 on the ground that the defendant was not in possession of the suit property.

Learned senior counsel for the plaintiff states that a third party, namely, M/s. Bishwanath Industries Ltd. who had advanced a loan to the plaintiff in terms of the agreement dated 15th January, 2007 has entered into



a settlement agreement dated 27th May, 2018. He states that till the entire payment is made in favour of the plaintiff, the defendant and its successors should not be allowed to create any third party interest in the suit property.

Issue notice.

Mr. Anand M. Mishra, Advocate accepts notice on behalf of defendant/non-applicant. He prays for and is permitted to file a reply-affidavit within four weeks.

Rejoinder, if any, be filed before the next date of hearing.

List on 14th January, 2019.

Both parties are permitted to file additional documents, if any, before the next date of hearing.

MANMOHAN, J

OCTOBER 08, 2018

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