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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 597/2017 & CM APPL Nos.35091/2018, 43289/2019

JAGDISH RAI

..... Appellant

Through : Mr.Rajesh Yadav, Ms.Chandrani
Prasad, & Mr.Anuj Jain, Advocates.

versus

RAM KRISHAN & ORS

..... Respondents

Through : Mr.Deepak Dhingra and Ms.Miranda
Solaman, Advocates for respondent
No.3.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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04.12.2019

CM APPL No.40503/2019

This application has been moved by the appellant for impleading the legal heirs of the deceased respondent No.2/Om Prakash and the name of the legal heirs are mentioned in para No.5 of this application.

The learned counsel for the appellant/applicant says that address of proposed LRs No.(v) to (xi) are not available with him. The learned counsel for the respondent No.3 says he shall provide the address to the appellant within two days from today. Thereafter, LRs be served.

In view of above, the application stands allowed and disposed of. The amended memo of parties be filed within two weeks from today.

CM APPL No.37562/2019

This application is moved by the respondent for seeking to let out a portion on rent in House No.B-II/23, Ashok Vihar, Phase-II, New Delhi.

The learned counsel for the appellant submits since its a dwelling house, so per proviso to Section 44 of the Transfer of the Property Act, 1882 it could not be let out to some stranger. However, the learned counsel for the applicant / respondent submits since they are not transferring any interest in the property, as such the above proviso shall not be applicable, especially when the subject premises was not used as a dwelling house.

Nevertheless, the clear site plan of the subject property which the applicant intends to let out is not on record. Let a clear site plan of the subject property be filed within a week from today.

List on 13.01.2020.

CM APPL No.49952/2019

This application is moved by appellant for seeking the details of the tenants inducted by the respondent.

The learned counsel for the respondent seeks further time to file reply. As sought, reply be filed within one week from today. Rejoinder thereto, if any, be also filed before next date of hearing.

List on 13.01.2020.

YOGESH KHANNA, J.

DECEMBER 04, 2019

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