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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 571/2017**
LATE JAGDIP KAUR & ORS.

.....Plaintiffs

Through: Ms. Kanika Agnihotri, Adv. for
plaintiff/LR no.1(A)

versus

MANBIR SINGH OBEROI & ORS

.....Defendants

Through: Ms. Aastha Dhawan, Ms.Shaini
Bhardwaj, Mr. Aditya Sharma,
Ms. Kiran Kaha Uppal and Ms.
Diksha Mathur, Advs. for D-1
Mr.Lokesh Bhola and Ms.
Sanjana Manchanda, Advs. for
the D-2
Mr. Madhur Sapra, Adv for D-3
and D-4
Mr. Sanjeev Goyal, Ms. Sneha
Rekha Thakur, Advs. for D-5
Mr. Saurabh D. Karan Singh,
Adv for D-7

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

13.09.2024

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I.A. 39423/2024

1. This application has been filed by defendant no.1 seeking a direction of this Court to close the right of the plaintiff/LR-1(A) to file reply to the I.A. 10859/2023 and consider the said application on the basis of the record of that application.
2. The applicant further prays for a direction to the maids to



immediately vacate the subject property in compliance of the Order dated 11.10.2021 passed by this Court.

3. Issue notice.

4. Notice is accepted by Ms. Kanika Agnihotri, Advocate, on behalf of the plaintiff/LR no.1(A).

5. The learned counsel for the applicant has drawn my attention to the Order dated 11.10.2021 whereby this Court, while appointing a Court Receiver to take over the possession of the ground floor of property bearing no. A-16/4, Vasant Vihar, New Delhi, on the request of the learned counsel appearing for the plaintiff/LR-1(A), had allowed two domestic helps, who were claimed to be residing in the staff quarters of the premises and rendering assistance to the deceased Ms.Jagdip Kaur, to continue to live in the said staff quarters for a further period of 18 months, subject to the condition that they shall file an undertaking before this Court to unconditionally vacate the said property on or before the expiry of the said period. The two maids, that is, Mr.Yam Bahadur and Mrs.Bhooma Khatri, filed their affidavit dated 04.12.2021, unconditionally undertaking to vacate the property in case an order to that effect is passed by this Court on or before 18 months from the date of the affidavit.

6. The applicant submits that though the period of 18 months has expired, they have still not vacated the premises in their occupation.

7. The learned counsel for the plaintiff no.1(A) submits that the plaintiff no.1(A) has filed an application seeking further extension of time for the said persons to continue to reside in the servant quarters of the suit premises.



8. Admittedly, notice of this application has also not been issued by this Court.

9. I see absolutely no ground for the said persons not to have abided by the order dated 11.10.2021 and by their undertaking.

10. Accordingly, the plaintiff no.1(A) and the two persons named above shall remain personally present in Court on 25th September, 2024.

11. In case the above named persons vacate the premises in their occupation and hand over the possession thereof to the Receiver appointed by this Court before the next date of hearing, then the plaintiff/LR no.1(A) and these persons need not appear before this Court.

12. List on 25th September, 2024.

NAVIN CHAWLA, J

SEPTEMBER 13, 2024/rv/sg/DG

Click here to check corrigendum, if any