

**IN THE COURT OF SH. BHARAT AGGARWAL, CIVIL
JUDGE, DELHI (WEST)-02**

SUIT NO. /2020

1. Ms. Sushila Aggarwal
2. Ms. Rashmi Aggarwal

Plaintiffs

Versus

1. Sh. Ranbir Singh Dhaiya
2. SHO, PS. Paschim Vihar
(West Outer), Delhi

Defendants

THROUGH CISCO WEBEX VIDEO CONFERENCING

Date:02/07/2020 (2.20 P.M to 2.40 P.M)

Present:- Sh. M.P. Sinha, Ld. Counsel for plaintiff. (Mobile No.9958665544) (E-mail ID of Sh. M.P. Sinha: sinhamp410@gmail.com)

Sh. Shailender Dhaiya, Ld. Counsel for defendant no.1.
(Mobile No.9312275287 (E-mail ID of Sh. Shailender Dahiya: Shailender_967@yahoo.com)

1. Perusal of the last order dated 15/06/2020 passed by the Ld. ADJ-01, Tis Hazari Court, Delhi (Duty Officer) reveals that it was submitted by the counsel for defendant no.1 the plaintiffs are running a beauty parlour from the suit property and the defendant no.1 also has a shop adjacent to the suit property and for the purpose of security issues, defendant no.1 had put a lock on the main gate of the

properties. It was also submitted on behalf of the defendant no.1 that a spare key of the lock would be shared by the plaintiffs so that the plaintiffs can have access to their beauty parlour situated at the suit property. It is an admitted position between the parties that the spare key of the main gate where the plaintiff's property/beauty parlour is located was handed over to the plaintiffs on the last date of hearing i.e. 15/06/2020 itself.

2. The Ld. Counsel for the plaintiffs has vehemently argued that defendant no.1 despite giving of the spare key is still causing obstructions in the access of the plaintiffs and their customers at the suit property i.e. a beauty parlour located at Shop bearing No.2 & 3, Ground Floor, property bearing Municipal No.10/357, Sunder Vihar, Near Paschim Vihar, Delhi – 110087.

On the other hand, Ld. Counsel for the defendant no.1 submitted that the service has been effected to him only on 12/06/2020 and due to the ongoing pandemic he could not prepare the written statement so far and, therefore, he sought more time to file the written statement. Let the written statement be filed electronically within two weeks from today after supplying advance copy electronically to the plaintiffs.

3. It is not a disputed position in the present case that the suit properties are of the plaintiffs and the only issue raised by the defendant no.1 is that the plaintiffs do not have appropriate permissions/authorisation to run beauty parlour from the said property, however the said issue is a matter of trial. In these circumstances it is expedient in the ends of justice that the defendant no.1 shall not create any obstruction/interference in the access of the

plaintiffs and their customers to the suit properties till the next date of hearing and they shall have a free and unobstructed right of way.

Now, put up for framing of issues and disposal of the interim injunction application on 28/07/2020.

A copy of this order be sent to the filing branch Tis Hazari Court, Delhi for uploading the same on the official website of the District Courts.

Bharat Aggarwal
C.J-02, West, THC, Delhi
dt.04/07/2020