

Geeta Suri v P.C.Jain & Ors.

04.07.2020

Present: Sh. Sahil Ahuja, Ld. Counsel for plaintiff ([9871370099/sahilahuja@aol.in](mailto:9871370099@sahilahuja@aol.in))

Sh. Kunal Madan Ld. Counsel for defendant no.1

(9810821712/ kunalmadan@kmalawoffice.com)

Sh. Dharamveer Gupta, Ld. Counsel for defendant no.2

(9868177556/ maildvgupta@gmail.com)

The matter is taken up for hearing by way of video conferencing through Cisco webex.

Vakalatnama filed on behalf of defendant no.1 by email on the email id of this court i.e. [readercj01west@gmail.com](mailto:readercj01west@gmail.com). Memo of appearance as well as status report has been filed by email by defendant no.2.

It is submitted by ld. Counsel for defendant no.2 that the property in dispute i.e. property bearing no. 26/1 Shivaji Marg, Najafgarh road, New Delhi was inspected by officials of defendant no.2 and some construction was noticed on the second floor which was found to be unauthorized and has been booked. It is further submitted that show cause notice has already been issued and on 01.07.2020, “stop work” notice was also issued to the defendant no.1.

It is submitted by ld counsel for defendant no.1 that no permanent construction is being carried out by the defendant no.1 on the second floor and only a tin shed is being repaired to save the property from damage by water logging for which no prior sanction from defendant no.2 is required. It is further submitted that the plaintiff is a tenant under defendant no.1 who has not been paying rent and the present suit is only a counterblast to the eviction suit filed by defendant no.1. Ld. Counsel for defendant no.1 further submits that some time may be given to file proper reply to the application of the plaintiff as also to the show cause notice issued by defendant no.2.

Heard.

**Considering the submissions made and the status report filed by defendant no.2, the defendant no.1 is hereby directed not to raise any construction on the second floor of property bearing no. 26/1 Shivaji Marg, Najafgarh road, New Delhi, till the next date of hearing.** The defendant no.1 is further directed to file his reply on or before the next date of hearing with directions to supply the advance copy of the same to the opposite party. Defendant no.2 is also directed to file action taken report on the next date of hearing.

Put up for further proceedings on 10.07.2020.

Nitish Kumar Sharma

CJ(01),West/THC

04.07.2020