

C.S./399/20

Pooja Vs. Amit Bajaj

26/06/2020

The matter is taken up through video conferencing.

Pr: Sh. Amit Vohra, Ld. Counsel for the plaintiff.

Sh. Vishal Yadav, Ld. Counsel for the defendant.

Submissions of both the counsels are heard.

It is contended by learned counsel for plaintiff that plaintiff is the lawful owner of the suit property and defendant was inducted as a tenant in the same vide a lease deed dated 09/04/2019 which has already expired by efflux of time and after termination of the said lease deed, defendant is illegally occupying the suit property even after service of the legal notice in this regard. It is also contended by learned counsel for plaintiff that defendant is not paying the admitted rate of rent since months without any explanation in this regard. Therefore, plaintiff is constrained to file the suit for declaration.

Learned counsel for defendant orally seeks some time to file the reply/written statement. So far as the non payment of rent is concerned, it is submitted by learned counsel for defendant that he has been engaged today itself by defendant and he is not having the proper instruction/information in this regard.

In view of the rival submissions of both learned counsels for parties, I deem it fit to give an opportunity to defendant to file his written statement/arguments in his defence till the next date of hearing with the direction to supply an advance copy of the same to the opposite party one week prior to the next date of hearing.

So far as the non payment of rent is concerned, in order to protect the rights of plaintiff being the admitted owner of the suit property, defendant is directed to make the payment of the rent upto date to plaintiff immediately.

Put up for further proceedings on 20/07/2020. Ahlmad of the court of the undersigned is directed to upload this order on the official website.

Niyay Bindu
SCJ-Cum-RC/North West
Rohini/Delhi
26/06/2020

C.S/397/20

Poonam Goyal Vs. Ajay Goel & Ors.
26/06/2020

The matter is taken up through video conferencing.

Pr: Sh. Rishabh Gulati, Ld. Counsel for the plaintiff.

None for defendants.

It is submitted by learned counsel for plaintiff that defendants have been duly served by him through e-mail and Whatsapp and also that he has filed the report on the official mail id of the present court.

Even after waiting for about fifteen minutes none has joined the video conferencing on behalf of defenadnts that is why the submissions of learned counsel for plaintiff are taken up for consideration.

As per the contents of the plaint, the present suit is a dispute between plaintiff and her in laws including her husband. Her husband, her father in law and her mother in law are defendants no. 1, 2 and 3 respectively. Plaintiff is the legally wedded wife of defendant no. 1 and they are having two minor kids.

The grievance of plaintiff is that she has been victimized of domestic violence in her matrimonial home by defendants and in collusion with each other they are trying to through her out of the suit property as they are always subjecting her to cruelty and atrocities.

Learned counsel for plaintiff has orally prayed for an ad-interim order in favour of plaintiff and against defendant whereby they are restrained from dispossessing her from the suit property till the next date of hearing.

As even after service neither defendants nor any one else is appearing on their behalf to attend the present video conferencing, therefore, on the basis of the contents of the plaint, a prima facie case is made out in favour of plaintiff. Hence, an ad-interim order is hereby passed in her favour whereby defendants are restrained from dispossessing her from the suit property no. 145, Rajdhani Enclave, Pitampura Delhi-110034 till the next date of hearing.

Defendants are at liberty to file their written statement/arguments on the next date of hearing. Put up for further proceedings on 29/07/2020 at 12:00 Noon. Plaintiff is directed to comply the provisions of Order 39 rule 3 CPC as per law.

Ahlmad of the court of the undersigned is directed to upload this order on the official website.

Niyay Bindu
SCJ-Cum-RC/North West
Rohini/Delhi
26/06/2020

