

01.06.2020

Present: None.

Court staff is directed to establish contact with the parties and their counsels through electronic/telephonic mode from the particulars as mentioned in the Vakalatnama.

Be awaited till **11.30 AM**.

(Jitendra Singh)
ADJ-06, Central District
THC, Delhi/01.06.2020

At 11.30 AM

Present: Shri Abdul Salam, Ld. counsel for plaintiff (presence secured through electronic mode).

Court staff states that contact could not be established to the defendants through electronic mode as there is no telephone number or e-mail ID of defendants available on record. Record reveals that defendant no. 1 appeared for himself as well as for defendant no. 2 on 05.05.2020.

On the last date of hearing, opportunity was given to the defendants to file written statement, however, today neither the defendants nor their counsel have appeared before the court. Record further reveals that the defendants have not filed any written statement till date. In these circumstances, **opportunity to file written statement by defendants stands closed.**

Shri Abdul Salam, Ld. counsel for plaintiff requests to continue the interim order passed on 05.05.2020.

Vide order dated 05.05.2020, restrained order was passed against the defendants. The relevant extract of the said order is reproduced hereinbelow


for ready reference:

"... In order to maintain the cordial relations between them and avoid the multiplicity of litigation, the defendants are hereby restrained from entering the suit property bearing no. 170, Gali Bandook Wali, Ajmeri Gate, Delhi-110006, forcibly or illegally and not to disturb the peaceful possession of the plaintiff till the next date of hearing, i.e. 21.05.2020. .."

On the last of hearing, the above mentioned interim order was extended till today.

In these circumstances, **the interim order stands continued till next date of hearing.** At request, be listed for appearance of the parties and their counsels through video conferencing or personal appearance on **14.07.2020** for further proceedings. The date is given at the convenience of Ld. counsel for plaintiff.

Copy of this order be sent to Ld. counsel for plaintiff through electronic mode.


(Jitendra Singh)
ADJ-06, Central District
THC, Delhi/01.06.2020

01.06.2020

Present: Shri Rohit Goel, Ld. counsel for plaintiff (presence secured through electronic mode).

The matter is at the stage of consideration.


By way of present suit, the plaintiffs seek injunction against the defendant for restraining the defendant to interfere in the peaceful enjoyment of the property bearing shop no. 3 & 5, Property No. 923, Gali No. 1, Naiwala, Faiz Road, Karol Bagh, New Delhi-110005 (hereinafter referred to as 'suit property').

Admittedly, there exists relationship of landlord and tenant between the defendant and the plaintiffs. The plaintiffs have averred that the defendant cannot terminate the lease agreement (tenancy) by issuing eviction notice. However, as per paragraph no. 6 of the plaint, the tenancy is on the month to month basis.

The plaintiffs have filed a simplicitor suit for perpetual injunction.

In these circumstances, the matter is fixed for maintainability of the suit in the present form. The counsel for the plaintiff is at liberty to file written submissions alongwith case law in electronic or paper book form to support his contention.

Be listed on **17.06.2020**. The date is given at the convenience of Ld. counsel for plaintiff.


(Jitendra Singh)
ADJ-06, Central District
THC, Delhi/01.06.2020