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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 573/2016 & CM Nos. 45757/2016 (stay) & 5993/2017
(exemption)**

SHAH ALAM & ANR

..... Appellants

Through: Mr. Pramod Ahuja and Ms. Amita
Sachdeva, Advocates.

versus

MOHAN KAUR & ORS

.... Respondents

Through: Mr. Mithilesh Kumar, Adv. for R-1.
Mr. Noor Alam, Adv. for R-4.
Mr. O.P.Gehlot, Adv. for R-5.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **28.07.2017**

1. After arguments, this appeal is disposed of with the consent order that the appellants if want to make any construction in their portion of the suit property, then the same will be made after obtaining appropriate sanctioned plan from the local competent authority. Appellants will approach the local competent authority for getting the necessary sanction of the plans. Any construction made by the appellants will however not prejudice the plaintiff in the suit and no equities or rights will be claimed by the appellants on the basis of construction so made.

2. Learned counsel for the appellants also states that appellants will not alienate or create third party interest in the suit property or transfer possession thereof during the pendency of the suit except with prior permission of the trial court, for which application will be moved and disposed of by the trial court in accordance with law.

3. In terms of the aforesaid consent order, this appeal is disposed of. Trial court record be sent back by a special messenger as it is stated that the suit is listed before the trial court on 31.7.2017.

4. *Dasti* to counsel for the parties.

VALMIKI J. MEHTA, J

JULY 28, 2017

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