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

+ CS(OS) 30/2018

MRS. POUJA KHANNA Plaintiff
Through Mr.Rajesh Kumar, Adv.

versus

RAJBIR SINGH & ORS Defendant
Through Mr.Shrey Chathly and Ms.Bandana
Grover, Advs. for D-1.
Mr.Raju Bajaj, Adv. for D-4 & 5.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
27.09.2018

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This suit is filed by the plaintiff stating that he is the owner and in possession of the second floor of the property No. 53, Block M, GK Part II, New Delhi. The property was purchased by the plaintiff from Mr.Sudha Arora by duly registered Sale Deed dated 20.02.2017. It is pleaded that despite purchase of the property and being put in possession, the defendants have been blocking ingress and egress of the plaintiff to the property on the second floor.

Learned counsel for defendant No. 1 and defendant No. 4 & 5 have submitted that they have never stopped ingress and egress of the plaintiff to the second floor nor they intent do so in future.

It has also been pointed out that as far as defendants No. 2 and 3 are concerned, they are the erstwhile owners of the ground floor and first floor.

They have sold their properties and are no longer interested in the suit property.

In view of the above, in my opinion, there is no impediment to a decree being passed in favour of the plaintiff and against defendants No. 1 and 4 & 5 restraining the said defendants from stopping ingress and egress of the plaintiff, her family members, relatives, guests to the second floor of the suit property and other connected relief.

Regarding other reliefs, learned counsel for the plaintiff submits that presently, he would not like to press these reliefs and seeks liberty to press these reliefs at a later stage, if required. The liberty sought is granted.

In view of the above, a decree is passed in favour of the plaintiff and against defendants No. 1, 4 and 5 in terms of prayer (i), (ii) and (iii) of the plaint.

The suit stands disposed of

All pending applications also stand disposed of.

JAYANT NATH, J

SEPTEMBER 27, 2018

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