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

+ **FAO(OS) 45/2019 & C.M. No. 10780/2019**

AMARJEET SINGH GUJRAL

..... Appellant

Through:

versus

JUNG BAHADUR SINGH GUJRAL & ORS

..... Respondent

Through: Mr. I.S. Alag, Sr. Adv. with Mrs. Kanchan Kaur Dhodi, Mr. J.S. Lamba and Mr. R.S. Bisht, Advs. for R-5.
Mr. Ajay Bahl with Mr. Lalit Bahl and Mr. Vikash Sharma, Advs. for R-8.
Mr. A.K. Tandon with Mr. Himanshu Dubey, Adv. for R-1,2,3,5 &6

+ **FAO(OS) 47/2019 & C.M. No. 10890/2019**

MANMOHAN KAUR OBEROI

..... Appellant

Through: Mr. I.S. Alag, Sr. Adv. with Mrs. Kanchan Kaur Dhodi, Mr. J.S. Lamba and Mr. R.S. Bisht, Advs.
Mr. Ajay Bahl with Mr. Lalit Bahl and Mr. Vikash Sharma, Advs.

versus

JUNG BAHADUR SINGH GUJRAL & ORS

..... Respondent

Through: Mr. A.K. Tandon with Mr. Himanshu Dubey, Adv. for R-1,2,3,6 & 7.

+ **FAO(OS) 55/2019 & C.M. Nos. 13719, 13720, 13721/2019**

KULDEEP KAUR ALAG & ANR

..... Appellant

Through: Mr. I.S. Alag, Sr. Adv. with Mrs.
Kanchan Kaur Dhodi, Mr. J.S. Lamba
and Mr. R.S. Bisht, Advs.
Mr. Ajay Bahl with Mr. Lalit Bahl
and Mr. Vikash Sharma, Advs.

versus

JUNG BAHADUR SINGH GUJRAL & ORS Respondent
Through: Mr. A.K. Tandon with Mr. Himanshu
Dubey, Adv. for R-1,2,3,6 & 7.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

26.03.2019

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The only grievance raised by the appellants in respect of the impugned order dated 21.01.2019, passed by the learned Single Judge in I.A. No. 614/2019 is that the learned Single Judge has made an observation in paragraph 10 that the plaintiff and defendant Nos. 7 and 9 do not have any right to let out the Suit Property or to receive the rent, in terms of the interim orders passed by the Court.

It goes without saying that the observations made by the learned Single Judge, as taken note of hereinabove are not a pronouncement of the inter se rights of the parties. The trial in the suit has not yet taken place. Such observations cannot be construed to be determinative of the rights of the parties. These are passing comments made by the learned Single Judge while dealing with the aforesaid application moved by Defendant Nos. 1 & 2 to seek permission to let out the said property on a monthly rent of Rs. 2,25,000/- for a period of three years with 5% increase of rent every year

along with security deposit of Rs. 5,00,000/-

It is informed by Mr. Tandon that in terms of the order dated 21.01.2019, the property has already been let out on a Registered Lease dated 28.01.2019.

The other grievance raised by the appellants is that they should also be permitted to partake of the rent, since they also claim share in the suit property. We are informed that certain applications in this regard are also pending.

It shall be open to the appellants and all co-sharers to seek interim orders in this regard in the pending suit.

The appeals stand disposed of in the aforesaid terms.

VIPIN SANGHI, J

REKHA PALLI, J

MARCH 26, 2019

N.Khanna