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

+ **W.P.(CRL) 980/2019 and CRL.M.A. 7201/2019**

MS. NIRMAL JASUJA & ANR Petitioners

Through: Mr Sarwesh, Advocate.

versus

GOVT. OF NCT OF DELHI & ORS Respondents

Through: Ms Kamna Vohra, ASC for State.

SI Dev Raj, PS Adarsh Nagar,

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **04.09.2019**

1. The petitioners have filed the present petition, *inter alia*, praying that directions be issued to respondent nos. 1 to 5 to remove police officials from the built-up property bearing no. A-5, Sarai Pipal Thala Extn. G.T. Karnal Road, Delhi-110033 and to further direct respondent nos. 1 to 5 to handover the keys of the aforesaid property to the petitioners.
2. The status report has been filed by the police authorities. It is affirmed that police staff was deployed outside the property in question for just two to three days to maintain law and order. This was done as there was apprehension of breach of peace between the landlords of the said property and their tenants. It is affirmed that the police officials have not occupied the property in question.
3. The status report also indicates that police authorities had directed that *status quo* be maintained.
4. It is the petitioners' case that they had purchased the property in

question from its erstwhile owners (Rajesh Rana and Naresh Rana) by a sale deed executed on 16.03.2019.

5. Apparently, the erstwhile owners of the said property (respondent nos. 6 and 7) had entered into a lease agreement with one M/s Mittal Cuisine Ltd. and had leased at least a part of the said premises to the said company. It is the petitioners' case that the said company had furnished an undertaking that they would be removing their articles from the said premises on 15.03.2018. The petitioners have averred that they had entered into the abovementioned sale deed after receipt of the above undertaking from the said company.

6. It is clear from the averments made in the petition that the disputes are essentially between the erstwhile owners of the property in question (respondent nos. 6 and 7) and their tenants. Respondent nos. 6 and 7 have stated to have sold their property to the petitioners and therefore, the petitioners have stepped into their shoes. It would be necessary for the petitioners to approach the concerned Civil Court for resolution of their disputes.

7. Since it has been clarified that respondent nos. 1 to 5 have not occupied the property in question, the prayers as sought for are infructuous.

8. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

SEPTEMBER 04, 2019
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