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

+ CRL.REV.P. 622/2017 & CrI. M.A. 13664/2017

MANJEET KAUR & ORS

..... Petitioners

Through Mr. S.C. Juneja and Mr. Sanjay
Mishra, Advs. with petitioner in
person.

versus

TAJINDER KAUR & ORS

..... Respondents

Through Mr. B.S. Rajesh, Mr. Agrajit Dipti
and Mr. S.S. Bedi, Advs. for R-1
Mr. B. K. Sharma, Adv. for R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **08.02.2019**

1. Petitioners impugn judgment dated 30.05.2017 whereby the trial court, inter-alia, granted right of residence to respondent no. 1- wife in the house at second floor of property bearing No. RZ-17B, Second Floor, Nursing Garden, Khyala, New Delhi.

2. It is contended by the petitioners that they are residing alone in the property and their son i.e. respondent No. 2 does not reside with them

3. Learned counsel for the parties, without prejudice to the rights and contentions of the parties, have agreed that petitioner may continue to reside in the said house and respondent no. 1, at this stage, does not seek any right of residence in the said property as she is residing with her father and even her husband i.e. Respondent No.2 is

also not residing in the said property. It is further agreed that said arrangement is without prejudice to the rights and contentions of the parties.

4. It is agreed that as of now respondent no. 1-wife will not enforce her right in the said property so long as the petitioners are residing in the same. However, respondent no. 1-wife reserves her right to seek residence in case her husband i.e. respondent no. 2 resides in the said house.

5. The impugned order is modified to the extent that Respondent No. 1 would not enforce her right of residence in the property so long as petitioners reside in the same and respondent No. 2 does not reside in the same and she shall have the right to seek enforcement of the same if respondent No. 2 comes to reside in the said property.

6. The petition is disposed of in the above terms.

7. All rights and contentions of the parties are reserved.

8. Order *Dasti* under signatures of Court Master.

SANJEEV SACHDEVA, J

FEBRUARY 08, 2019
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