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

+ **FAO(OS) 42/2023 & C.M.Nos.13396-13397/2023**

MS ARUN SAINI@GUDDI

..... Appellant

Through: Mr.Brij Bhushan, Sr.Advocate with
Mr.Quayam-ud-din, Mr.L.B.Rai with
Mr.Kartik Rai, Advocates.

versus

SHRI NIRMAL KUMAR JAIN & ANR.

..... Respondents

Through: Ms.Leena Tuteja with Ms.Ishita
Kadyan, Advocates for R-1.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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11.01.2024

1. Present appeal has been filed by the appellant/plaintiff challenging the order dated 17th February, 2023 passed by the learned Single Judge of this Court in CS(OS) No.457/2020, whereby the appellant was directed to remove the locks and seal placed on the suit premises.
2. Learned senior counsel for the appellant states that the appellant shall abide by the orders passed by the learned Single Judge provided the respondent no.1 places his own lock on the suit premises and undertakes to act as a receiver of the suit property. He also undertakes to bear the one-third maintenance expenses of the suit property. He further states that respondent no.1 should undertake not to use the property in question.
3. This Court is of the view that the offer made by learned senior counsel for the appellant is fair and reasonable.



4. Accordingly, the present appeal along with the applications is disposed of with a direction to the appellant to remove her locks, seal as well as the notice placed on the suit property. The respondent no.1 is directed to place his own locks on the suit property. Respondent no.1 is also appointed as a receiver. It is further directed that one-third of the maintenance expenses of the suit property shall be borne by the appellant. It is clarified that the property in question shall not be used by any of the parties without seeking prior permission from the learned Single Judge.

5. This Court further clarifies that it has not commented on the merit of the controversy. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

**JANUARY 11, 2024
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