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

\+ CS(OS) 195/2017

SHRI RAJNEESH LUTHRA ..... Plaintiff

Represented by: Mr. S.K. Bhaduri, Advocate with
Mr. Prem Prakash, Advocate

versus

SHRI RAHUL LUTHRA ..... Defendant

Represented by: Mr. Satymev Sabarn, Advocate

**CORAM:**
**HON'BLE MS. JUSTICE MUKTA GUPTA**

**O R D E R**

**% 20.08.2020**

The hearing has been conducted through Video Conferencing.

**I.A. 7137/2020 (under Section 151 CPC for necessary directions – by plaintiff)**

1. By this application the plaintiff seeks direction to defendant, who is his brother, to clean up the ground floor portion of the suit property, *i.e.*, C-570, New Friends Colony, New Delhi. The suit is at the stage of recording of the evidence.

2. The case of the plaintiff/applicant in the application is that the defendant alongwith mother of the plaintiff and defendant vacated the ground floor portion of the suit property on 19th May, 2012 and since then the ground floor portion of the suit property is lying locked resulting in too much of dust, mud, termites, etc. with the result even the termites have started infecting the wood on the first floor.



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3. Notice.

4. Learned counsel for the defendant accepts notice.

5. Reply affidavit be filed within two weeks.

6. Rejoinder affidavit be filed within one week thereafter.

7. Reply affidavit and the rejoinder affidavit may be accompanied by the photographs showing the position of the suit property.

8. List the application on 24th September, 2020.

9. Order be uploaded on the website of this Court.

**MUKTA GUPTA, J.**

**AUGUST 20, 2020**
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