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

Date of Decision: 09th September, 2025

+ CS(OS) 19/2024 & I.As. 9122/2024, 41474/2024, 49093-94/2024

ROMY MEHRA & ANR.

.....Plaintiffs

Through: Ms. Madhavi Diwan, Sr. Adv. with
Ms. Natasha Garg and Mr. Anubhav
Dubey, Advocates

versus

GAUTAM MEHRA & ANR.

.....Defendants

Through: Ms. Malavika Rajkotia, Mr. Mayank
Grover, Ms. Aashna Talwar, Adv. for
D-1
Mr. Prashant Mendiratta Ms. Poonam
Mendiratta and Ms. Neha Jain, Advs.
for D-2 with D-2 in person

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

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J U D G M E N T

MANMEET PRITAM SINGH ARORA, J:

I.A. 546/2024, I.A. 6586/2024 and I.A No. 41474/2024

1. I.A. 546/2024 is an application under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 [‘CPC’], initially filed by the plaintiffs with the suit seeking an ad interim injunction in favour of the plaintiffs, directing the defendants to vacate the property bearing House No. A-20, Ansal Villas, Satbari, Chhatarpur, New Delhi-110074 [‘suit property’] along with their



belongings and restraining the defendant no. 2 from entering the suit property.

2. I.A. 6586/2024 is an application under Section 151 of CPC seeking direction to defendant no. 2 to immediately vacate the suit property and consequently decide I.A. 546/2024.

3. I.A. 41474/2024 is an application under Section 151 of CPC seeking early hearing of the captioned suit and I.A. 546/2024.

CASE SET UP BY THE PLAINTIFFS

4. Ms. Madhavi Diwan, learned senior counsel for the plaintiffs, has set up the plaintiffs' case as under: -

4.1. The suit property is an exclusive and self-acquired property of the plaintiff no. 1, acquired vide registered sale deed dated 24.01.2005. The plaintiff no. 1 [aged 68 years] and plaintiff no. 2 [aged 70 years] are the mother-in-law and father-in-law of the defendant no. 2 respectively. The defendant no. 1 is the only son of the plaintiffs.

4.2. The defendant no. 1 was married to the defendant No. 2 according to Hindu rites on 03.03.2009. Out of the plaintiffs love and affection; the defendant nos. 1 and 2 were residing with the plaintiffs in the suit property. The defendants have two [2] minor children [a daughter and a son], born out of the wedlock on 17.07.2010 and 11.08.2016, respectively.

4.3. The defendants have made the lives of the plaintiffs a living hell in the suit property. The continuous disruptive and hostile conduct of the defendants have made it impossible for the plaintiffs to reside peacefully in their own house i.e., the suit property.

4.4. Owing to marital discord between the defendants, the defendant no. 1 on 08.05.2023 has initiated divorce proceedings [HMA No. 991/2023] against the defendant no. 2, which is pending adjudication before the Family Court,



Saket District Courts, New Delhi [‘Family Court’]. The defendant no. 1 has also filed an application in the said divorce proceedings for seeking a relief of issuance of directions to defendant no. 2 to shift to an alternate accommodation.

4.5. It is alleged that in retaliation, the defendant no. 2 has filed various false and frivolous complaints, including FIR No. 592/2023 dated 13.12.2023 under Section 498-A/406/354/506/509/377/34 of the Indian Penal Code, 1860 at Police Station – Maidan Garhi, South Delhi, against the plaintiffs, defendant no. 1, plaintiffs’ daughter and their son-in-law, causing harassment and repeated police inquiries.

4.6. The defendant no. 2 had also filed a false and frivolous petition [being Ct. Case No. 3596/2023] under the Protection against Domestic Violence Act, 2005 [hereinafter referred to as ‘PWDV Act’], before the Mahila Court, Saket, New Delhi [‘Mahila Court’] and obtained an ex-parte interim order dated 22.12.2023 in her favour. By virtue of said interim order, the respondents therein have been restrained from dispossessing the defendant no. 2 from the suit property.

4.7. The misconduct of the defendant no. 2 not only includes the filing of false and frivolous criminal complaints but also includes constant verbal abuse, acts of physical violence engaging in disruptive behaviour inside the suit property and suicide threats to coerce the plaintiffs to withdraw legal proceedings initiated against the defendant no. 2.

4.8. It is stated that the aforesaid conduct of the defendant no. 2 has made the plaintiffs life miserable. The plaintiff no. 1 is suffering from severe medical issues, including chronic stress due to the ongoing ruckus and harassment created by the defendant no. 2. The plaintiff no. 2 has been



diagnosed with severe Parkinson's disease. The medical reports dated 13.03.2024 and 18.03.2024, confirms that the plaintiff no. 2's condition has significantly worsened due to continuous harassment, loud disturbances, and violent behaviour exhibited by the defendant no. 2.

4.9. The defendant no. 2 holds a postgraduate degree from London, runs a fashion business, namely "Farhazi", frequently travels abroad, and leads a luxurious life. She has ample resources to arrange her own accommodation and despite being financially independent and well-established, continues to illegally occupy the suit property and harass the plaintiffs.

4.10. The Court vide order dated 20.03.2024 had directed the DCP, South District, Delhi Police to depute a lady inspector, to visit the suit premises and submit a detailed report on the allegations made in the present suit. The court also directed the police to review video evidence and secure CCTV footage.

Pursuant to this order, a status report dated 16.04.2024 has been filed, where the police report corroborates the plaintiffs' claims that defendant no. 2's presence in the suit property has led to mental and physical distress for the plaintiffs, particularly plaintiff no. 2, who suffers from Parkinson's disease. The defendant no. 2 has admitted in the said status report, to all acts of vandalism and violence against the plaintiffs as stated in the plaint and subsequent applications.

4.11. The plaintiffs believe that such continued cohabitation is not conducive to peace and harmony in the household and seek to avoid further disruption or emotional strain in their advanced age as it is medically causing them harm.

4.12. The plaintiffs continue to voluntarily bear the school fees of their grandchildren, solely motivated by familial affection and concern for their well-being. However, given the ruckus and tension caused by the ongoing



marital discord between the defendants, the plaintiffs do not wish the defendants to reside in their house i.e., the suit property.

4.13. Owing to the relentless harassment, mental torture, and barrage of false police complaints initiated by the defendant no. 2, the defendant no. 1 has already vacated the suit property on 29.12.2023 and defendant no. 1 along with his minor children has been residing in Tower No. 24 (N), Apartment No. 12A, Central Park-II, Sector 18, Sohna Road, Gurugram, Haryana. The said accommodation is spacious, secure and equipped with modern amenities and the defendant no. 1 is raising his minor children in a stable and independent environment.

4.14. Even though the minor grandchildren had vacated the suit property along with the defendant no. 1 in December 2023, the minor granddaughter has been compelled and tutored to reside in the suit property with the defendant no. 2. It is stated that plaintiffs do not wish to have any involvement with defendant nos. 1, 2 or the grandchildren; and the plaintiffs wish to reside peacefully and quietly in the suit property.

4.15. The plaintiffs have offered alternate accommodation in Central Park-II township, situated in Sector – 48, Gurugram, Haryana to defendant no. 2. The said accommodation is similar to the accommodation, where her husband i.e., defendant no. 2 has been residing with the minor children. The accommodation offered to defendant no. 2 is in close proximity to the children.

The plaintiffs have offered to pay the monthly rent of Rs. 1.5 lakhs for the said accommodation and in this regard, the plaintiffs have filed an affidavit dated 07.04.2025.

4.16. The plaintiffs are in the twilight of their old age and are forced to endure



the acrimonious fallout between the defendants, despite have nothing to do with the matrimonial disputes of the defendants. The plaintiffs are merely seeking to live their remaining life in the suit property in peace, dignity, and security and thus, pray that the defendant no. 2 be directed to immediately vacate the suit property.

4.17. It is pleaded that irreparable harm and grave prejudice would be caused if interim relief is not granted. In the event of further delay, there is a real and imminent risk that plaintiff no. 2 may succumb to his fragile health condition.

CASE SET UP BY DEFENDANT NO. 2

5. Mr. Prashant Mendiratta, learned counsel for defendant no. 2, has set up the case of defendant no. 2's as under: -

5.1. The present suit is not maintainable as the jurisdiction of the civil courts is barred by Section 27 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [‘Senior Citizens Act, 2007] read with Rule 22 of Delhi Maintenance and Welfare of Parents and Senior Citizens Rules, 2009.

5.2. Furthermore, the present suit is a collusive suit between the plaintiffs and defendant no. 1. It is no coincidence that on 16.12.2023, the defendant no. 1 along with his minor children moved out of the suit property and immediately, thereafter, the present suit seeking eviction of defendant nos. 1 and 2 was filed by the plaintiffs on 08.01.2024. The close proximity of the two events clearly points out a premediated and coordinated plan between the plaintiffs and defendant no. 1 to unlawfully dispossess defendant no. 2 from her matrimonial residence.

5.3. The factum of the suit being collusive between the plaintiffs and defendant no. 1 is also established from the judicial record, as the orders passed in the Divorce proceedings initiated by the defendant no. 1 before the



Family Court and orders passed in these proceedings shows that same counsel, Mr. Prabhjit Jauhar has appeared for the plaintiffs as well defendant no. 1 in the said proceedings.

5.4. The present suit has been filed on basis of the false averments, as admitted by the plaintiff no. 2 in a video recording made on 18.10.2024 that the pleadings in the court cases are false and have been fabricated by the lawyers. The transcript of the said video has been placed on record.

5.5. No cause of action has been alleged by the plaintiffs until defendant no. 1 filed the Divorce proceedings. The suit refers to only one complaint dated 29.06.2023, which was filed by the defendant no. 1 in the police station. There is no other incident apart from the alleged incident dated 27.06.2023 till the filing of the suit. Thus, one solitary incident alone in fifteen [15] years of married life, cannot be a ground to get the daughter-in-law evicted from the suit property.

5.6. The plaintiffs reside on the ground floor of the suit property. The defendant no. 2 has lived in the suit property all throughout her matrimonial life, since 03.03.2009. The suit property was occupied by defendants and their minor children; however, defendant no. 1 along with minor children moved out of the suit property on 16.12.2023.

5.7. The defendant no. 1 filed an appeal [bearing MAT APP FC No. 255/2024] before this Court. The issue in the said appeal pertains to the custody of the minor children and by order dated 12.09.2024, the Division Bench of this Court put in place an interim arrangement, whereby the minor children were to be brought back to the suit property for visitation with defendant no. 2 from Friday to Sunday, every week.

After sometime the minor daughter expressed her desire to reside with



defendant no. 2 in the suit property, accordingly, the said interim arrangement was modified by order dated 16.05.2025. And, ever since 16.05.2025, the minor daughter has also started residing on the first floor of the suit property along with the defendant no. 2. The minor son continues to come and stay every Friday to Sunday with defendant no. 2 at the suit property.

5.8. The suit property is a 3-acre farmhouse; the plaintiffs reside on the ground floor. There are four entrances and exits to the suit property. The defendant no. 1 along with her minor daughter can continue to reside on the first floor of the suit property and can use a different entry and exit to the suit property, which is not used by the plaintiffs. In such a scenario, there will be no interaction between the parties.

5.9. The opulent lifestyle enjoyed by the parties is evident from the photographs placed on record and the photos showing the love, affection and bond between the parties inter-se of years 2022-23 are also placed on record.

5.10. The learned Metropolitan Magistrate, Family Court, Saket, Delhi has passed an *ex-parte* interim order dated 22.12.2023 in the PWDV Act proceedings, whereby the plaintiffs and defendant no. 1 have been restrained from dispossessing the defendant no. 2 from the suit proceedings.

5.11. The present suit, as well as the interim reliefs sought therein, are a manifest abuse of the process of law, instituted in clear and deliberate collusion between the plaintiffs and defendant no. 1, with the sole intent to dispossess defendant No. 2 from her matrimonial home.

5.12. The plaintiffs have suppressed material facts and deliberately omitted to disclose the pendency of related proceedings and binding judicial directions passed by this Court in the custody matter concerning the minor grandchildren.



5.13. Eviction of a daughter-in-law from her matrimonial home cannot be directed summarily or by way of interim relief, particularly in the absence of a full-fledged trial and adjudication of competing rights.

5.14. It is contended that the defendant no. 1's right to resist the decree could not be taken away and the claim of shared household has to be adjudicated on the strength of pleadings and evidence. And in order to be entitled to a decree, the plaintiffs would have to prove their case before the trial court. Thus, offering alternate accommodation cannot ipso facto result in eviction of the daughter-in-law. The factors resulting in allowing or refusing claim for eviction are not exhaustive and depend on facts of each case. Even if the suit filed by plaintiffs is understood to be a procedure established by law for the purpose of Section 17(2) of PWDV Act, the same still has to undergo trial for determination of competing rights of the parties. Reliance is placed on the judgment passed by the Supreme Court in **Satish Chandra Ahuja v. Sneha Ahuja**¹.

5.15. It is contended that right of a daughter-in-law to reside in the shared household/matrimonial home falls under the PWDV Act. Reliance is placed on the judgment passed by the Supreme Court in **Prabha Tyagi v. Kamlesh Devi**².

5.16. Allowing the interim application would amount to deciding the main suit without any trial, because if the final relief of eviction is granted as an interim order the same would frustrate the consequence of the present suit being finally dismissed on merits.

5.17. In view of the aforesaid, this Court be pleased to dismiss the interim

¹ (2021) 1 SCC 414 [paragraphs 104, 106, 110, 125, 162, 163 and 166]

² (2022) 8 SCC 90 [paragraphs 33, 34, 35 and 54]



application with cost.

CASE SET UP BY THE PLAINTIFFS in REJOINDER

6. Ms. Madhavi Diwan, learned senior counsel for the plaintiffs, has set up the plaintiffs' case as in rejoinder as under: -

6.1. The right of residence is subject to judicial determination and does not extinguish the title of the true owner. The plaintiffs, being the exclusive and rightful owners of the suit property, are entitled to seek possession and permanent injunction. The present suit is, therefore, maintainable and not barred either expressly or impliedly under the PWDV Act. Reliance is placed on the judgment passed by the Supreme Court in **Satish Chandra Ahuja v. Sneha Ahuja**³ [supra].

6.2. Furthermore, this Court in the case of **Manita Khurana v. Indra Khurana**⁴, held that suit for ejectment and mesne profits filed by a mother-in-law against her daughter-in-law is maintainable before the Civil Court and does not fall within the exclusive jurisdiction of the Family Court under Section 7 of the Family Courts Act, 1984. The Court observed that the relief of possession was based on ownership rights and not on the marital relationship.

6.3. The present suit is maintainable and not barred by Section 27 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2008. Reliance is placed on the judgment by the Supreme Court in **S. Vanitha v. Deputy Commissioner, Bengaluru Urban District and Others**⁵ and the judgment by Coordinate Bench of this Court in **Madalsa Sood v. Maunicka Makkar**

³ [Paragraph nos. 124, 132, 133, 144 and 166]

⁴ (2010) SCC OnLine Del 225 [paragraph nos. 19 and 20]

⁵ 2020 SCC OnLine SC 1023 [paragraph no. 25 and 37]



and Another⁶.

6.4. The reliance placed by defendant no. 2 on the judgment of **Prabha Tyagi v. Kamlesh Devi** [supra] is completely misplaced. The facts of the said case are completely different to the present matter, as therein the Court was seized of a case where a widowed woman was being dispossessed of from her right to residence in her marital home, and the issue was of determining whether her marital home was a shared household, in the context of facts of that case.

It is stated that in the present case, defendant no. 2 has made the life of the plaintiffs life a living hell in their own house, in which they have a right to reside peacefully and the plaintiffs are forced to endure the acrimonious fallout between the Defendants, despite having no involvement in their marital discord. Moreover, the plaintiffs are willing to provide alternate accommodation to defendant no. 2.

ANALYSIS AND FINDINGS

7. This Court has heard the learned counsel for the parties and perused the record.

8. The plaintiffs are senior citizens aged⁷ 68 and 70 years respectively. Defendant no. 1 is the son and defendant no. 2 is the daughter-in-law. The marriage between the defendants was solemnized on 03.03.2009 and two children were born out of the wedlock in 2010 and 2016 respectively.

9. Plaintiff no. 1 is the owner of the suit property. Defendant nos. 1 and 2 after their marriage have resided at the suit property with the plaintiffs uninterruptedly since 2009.

⁶ 2021 SCC OnLine Del 5217 [paragraph no. 24]

⁷ At the time of filing of the present suit.



10. However, in the year 2023, marital discord between defendant no. 1 and defendant no. 2 peaked and defendant no. 1 on 08.05.2023 filed a petition for divorce against defendant no. 2 before the Family Court.

Defendant no. 1 also filed criminal complaints dated 30.04.2023⁸, 29.06.2023⁹ and 11.12.2023¹⁰ against the defendant no. 2.

11. On 13.12.2023, pursuant to a criminal complaint filed by the defendant no. 2 against the plaintiffs, defendant no. 1, plaintiffs' daughter and plaintiff's son-in-law, an FIR No. 592/2023¹¹ was registered under Sections 498A/406/354/506/ 509/377/34 of the Indian Penal Code, 1860.

12. Defendant no. 2 in December, 2023 also filed a petition under Protection of Women from Domestic Violence Act, 2005 ['PWDV Act'] against the plaintiffs, defendant no. 1, plaintiffs' daughter and plaintiff's son-in-law, wherein an ex-parte ad-interim order dated 22.12.2023 was passed restraining the respondents therein from dispossessing defendant no. 2, without following due process of law.

13. Plaintiff no. 1 filed police complaints dated 27.10.2023¹² and 22.12.2023¹³ against defendant no.2's brother, defendant no. 2's mother and alleged boy-friend of defendant no. 2.

14. This suit was filed by the plaintiffs on 05.01.2024 seeking a mandatory injunction against defendant nos. 1 and 2 directing them to vacate the suit property and for permanent injunction restraining defendant no. 2 from entering the suit property.

⁸ Document No. 5 filed by the plaintiffs under the cover of index dated 05.01.2024

⁹ Document No. 6 filed by the plaintiffs under the cover of index dated 05.01.2024

¹⁰ Document No. 9 filed by the plaintiffs under the cover of index dated 05.01.2024

¹¹ Document No. 12 filed by the plaintiffs under the cover of index dated 05.01.2024

¹² Document No. 7 filed by the plaintiffs under the cover of index dated 05.01.2024

¹³ Document No. 10 filed by the plaintiffs under the cover of index dated 05.01.2024



15. In the intervening period since filing of the suit, the relationship between the parties has further deteriorated. Plaintiff no. 1 filed a police complaint against defendant no. 2 on 16.03.2024¹⁴ with regard to her alleged violent actions in the suit property and also filed I.A. No. 6586/2024 in this suit. The Court vide order dated 20.03.2024 had directed DCP, South District, New Delhi to depute a lady Inspector to visit the suit premises and submit the detail report on the allegations made in the present suit. It was directed that the Inspector shall review the video evidence and secure CCTV footage. A status report dated 16.04.2024 was filed by the concerned Inspector on 25.04.2024 and her findings can be summarized below: -

- i. Three video recordings dated 27.06.2023 were reviewed and it was observed that defendant no. 2 was seen throwing items from her car including the statue of Lord Narshima. The defendant no. 2 admitted the aforesaid video recordings and explained that her conduct was a response to defendant no. 1's verbal abuse against defendant no. 2's mother.
- ii. Photographs of an incident dated 16.03.2024 was corroborated by a video footage showing defendant no. 2 breaking a vase (first vase) in the hallway, while returning home, late at night. The defendant no. 2 admitted the said incident and explained that she was under mental stress on the said date due to the filing of false litigation by defendant no. 1 against her and the fact that the children had been removed from the suit property, by defendant no. 1, leaving her all alone. Defendant no. 2 admitted to breaking

¹⁴ Document No. 01 filed by the plaintiffs under the cover of index dated 18.03.2024



another vase (second vase) the following morning out of frustration for the same reasons.

- iii. Video recordings of the incident show defendant no. 2 using foul language.
- iv. Defendant no. 2 explained that she was provoked by plaintiff no.1's verbal abuse and therefore, she broke the second vase in a state of agitation.
- v. Plaintiffs provided videos showing defendant no. 2 playing loud religious music during late night hours on the first floor, which caused stress and disturbances to the plaintiffs leading to sleepless nights. Defendant no. 2 admitted playing the music and explained that she did not realize that it was causing distress to the plaintiffs. Defendant no. 2 further explained that since defendant no. 2 was feeling afraid all by herself in her bedroom, she was playing the music on the floor. Defendant no. 2 assured that she would henceforth play the music in her room only.
- vi. Plaintiffs provided medical documents which showed that plaintiff no. 2 suffered from Parkinson's disease and other health issues. The documents highlighted that plaintiff no. 2 was suffering from stress and sleepless nights.
- vii. There are six rooms on the first floor. One room was being renovated with the intention of using it for a male attendant for plaintiff no. 2. While the labourers were carrying out renovation work on 09.12.2023, defendant no. 2 entered the room to stop the work and cause the labourers to leave. The video recording dated 09.12.2023 was shown to the inspector.



15.1. The inspector concluded that several instances showing defendant no. 2 throwing and breaking objects stand established and such instances are disruptive of the home environment. Both plaintiffs and defendant no. 2 have made numerous calls to the police station regarding each other's conduct. The plaintiffs had provided video footage and photograph of the incidents complained of. The report of the counsellor was also provided with this report.

16. The counsellor's report dated 15.04.2024 deals with the disputes between defendant nos. 1 and 2 as well as disputes between the plaintiffs and the defendant no. 2. The observations in the report with respect to ongoing disputes between the plaintiffs and the defendant no. 2 is being adverted to hereunder. The counsellor at paragraph nos. 1 to 6 recorded the rival stands of the parties which can be summarized as under:-

- a. Defendant no. 2 admitted breaking items such as vases and statue of Lord Narshima. She, however, explained that she broke those items in moments of distress as she had been provoked by plaintiff no. 1.
- b. Plaintiff no. 1 stated that the ongoing disputes were affecting the mental health of plaintiff no. 2, defendant no. 1 and the grandchildren. Defendant no. 2 did not dispute that there is acrimony in the house; she explained that the acrimony has been caused due to the legal proceedings initiated by defendant no. 1 and she was of the opinion that plaintiff no. 1 had orchestrated the legal disputes between defendant nos. 1 and 2.
- c. Defendant no. 2 clarified that she had no issues with plaintiff no. 2 i.e., the father-in-law. She also clarified that it was not her intent to affect the health of plaintiff no. 2 and she was not aware that her actions were causing stress to plaintiff no. 2's health.



16.1. The counsellor concluded that the accusations of the parties against each other and their consequential behaviour is contributing to a toxic living environment. The counsellor recommended that an immediate and comprehensive intervention is required to address these disputes either through reconciliation or structured separation so as to safeguard the mental well-being of all the parties involved, particularly the minor children. It recommended that both parties engage in mediated discussions to explore resolutions for peaceful co-habitation or separation so as to protect the interests of each family member.

17. In these proceedings, parties were referred to Mediation under the aegis of Delhi High Court Mediation and Conciliation Centre vide order dated 29.01.2024. The said mediation however unfortunately failed. Thereafter, the Court also attempted in-chamber mediation as recorded in order dated 13.02.2025 and 01.03.2025; however, the same as well was unfruitful.

18. In the aforementioned facts, it has thus become imperative for the Court to adjudicate this application while keeping in mind the competing rights of the parties; so as to strike a balance.

19. It is undisputed that defendant no. 1 along with the minor children had in December, 2023 already shifted out to a three (3) BHK Apartment in Tower No. 24 (N), Apartment No. 12A, Central Park-II, Sector 18, Sohna Road, Gurugram, Haryana. Presently, the defendant no. 1 along with his minor son resides in the said apartment; though prior to 16.05.2025, the minor daughter was also residing in the said Apartment.

Defendant no. 2 resides on the first floor of the suit property and with effect from 16.05.2025, the minor daughter has also started residing with defendant no. 2 in the suit property.



20. Defendant no. 1 has already vacated the suit property and therefore, prayer clause (a) vis-à-vis the said defendant already stands satisfied.

21. In the facts of this case, admittedly the suit property is a shared household within the meaning of Section 2(s) of the PWDV Act as held by the Supreme Court in **Satish Chandra Ahuja** (Supra) and **Prabha Tyagi** (Supra). Thus, as per Section 17(1) of the PWDV Act, the defendant no. 2 is undoubtedly entitled to reside in the shared household. However, as held by the Supreme Court in the aforesaid judgments, defendant no. 2 would be liable to be evicted from the shared household only by following the procedure established by law as contemplated under Section 17(2) of the PWDV Act. The Supreme Court in its judgment in **Satish Chandra Ahuja** (Supra) has held that institution of a civil suit by the owner of the suit property for eviction of the defendant no. 2 would be a correct remedy and is contemplated under Section 17(2) of the PWDV Act. The relevant paragraphs of the judgment **Satish Chandra Ahuja** (Supra) reads as under:-

“113. Section 17 of the Act has two sub-sections which engraft two independent rights. According to subsection (1) notwithstanding anything contained in any other law for the time being in force, every woman in a domestic relationship shall have the right to reside in the shared household, whether or not she has any right, title or beneficial interest in the same. This right has been expressly granted to every woman in domestic relationship to fulfill the purpose and objective of the Act. Although under the statute regulating personal law the woman has right to maintenance, every wife has right of maintenance which may include right of residence, the right recognized by sub-section (1) of Section 17 is new and higher right conferred on every woman.

114. The right is to be implemented by an order under Section 19, on an application filed under sub-section (1) of Section 12. Sub-section (2) of Section 17, however, contains an exception in the right granted by sub-section (2), i.e., “save in accordance with the procedure established by law”. Sub-section (2) of Section 17, thus, contemplates that



aggrieved person can be evicted or excluded from the shared household in accordance with the procedure established by law. What is the meaning and extent of expression “save in accordance with the procedure established by law” is a question which has come up for consideration in this appeal. Whether the suit filed by the plaintiff for mandatory and permanent injunction against the defendant in the Civil Court is covered by the expression “save in accordance with the procedure established by law”. We may further notice that the learned Magistrate while passing the interim order on 26.11.2016 in favour of the defendant on her application filed under Section 12 has directed that “the respondent shall not alienate the alleged shared household nor would they dispossess the complainant or their children from the same **without orders of a Competent Court**”. The Magistrate, thus, has provided that without the orders of Competent Court the applicant (respondent herein) should not be dispossessed. In the present case, interim order specifically contemplates that it is only by the order of the Competent Court respondent shall be dispossessed.

...

117. The right to reside in shared household as granted by Section 17 itself contemplates an exception in express words, i.e., “save in accordance with the procedure established by law”.

...

124. **Drawing the analogy from the above case, we are of the opinion that the expression “save in accordance with the procedure established by law”, in Section 17(2) of the Act, 2005 contemplates the proceedings in court of competent jurisdiction. Thus, suit for mandatory and permanent injunction/eviction or possession by the owner of the property is maintainable before a Competent Court.** We may further notice that in sub-section (2) the injunction is “shall not be evicted or excluded from the shared household save in accordance with procedure established by law”. Thus, the provision itself contemplates adopting of any procedure established by law by the respondent for eviction or exclusion of the aggrieved person from the shared household. Thus, in appropriate case, the competent court can decide the claim in a properly instituted suit by the owner as to whether the women need to be excluded or evicted from the shared household. One most common example for eviction and exclusion may be when the aggrieved person is provided same level of alternate accommodation or payment of rent as contemplated by Section 19



sub-section (f) itself. There may be cases where plaintiff can successfully prove before the Competent Court that the claim of plaintiff for eviction of respondent is accepted. We need not ponder for cases and circumstances where eviction or exclusion can be allowed or refused. It depends on facts of each case for which no further discussion is necessary in the facts of the present case. **The High Court in the impugned judgment has also expressed opinion that suit filed by the plaintiff cannot be held to be non-maintainable with which conclusion we are in agreement.**

...

162. We take an example to further illustrate the point. In the plaint of suit giving rise to this appeal, the plaintiff has pleaded that the wife of the plaintiff has been subjected to various threat and violence in the hands of the defendant on several occasions. In event, the suit is filed by wife of the plaintiff against the defendant for permanent injunction and also praying for reliefs under Section 19[except Section 19(1)(b)]. The suit be fully maintainable and the prayers in the suit can be covered by the reliefs as contemplated by Section 19 read with Section 26 of the Act, 2005.

163. By a written statement, the defendant is sure to resist the suit on the ground that she had already filed an application under Section 12 where plaintiff Dr. Prem kant Ahuja(mother-in-law of the defendant) is one of the respondent and she may also place reliance on the interim order dated 26.11.2016 restraining the respondents which included Dr. Prem Kant Ahuja from dispossessing the applicant except without obtaining an order of competent Court. The order dated 26.11.2016 which was passed by the Magistrate under D.V. Act, 2005, shall be relevant evidence and fully admissible in the civil suit, but the above order shall only be one of the evidence in the suit but shall neither preclude the civil court to determine the issues raised in the suit or to grant the relief claimed by the plaintiff Dr. Prem Kant Ahuja. The Civil Court in such suit can consider the issues and may grant relief if the plaintiff is able to prove her case. The order passed under D.V. Act whether interim or final shall be relevant and have to be given weight as one of evidence in the civil suit but the evidentiary value of such evidence is limited. The findings arrived therein by the magistrate are although not binding on the Civil Court but the order having passed under the Act, 2005, which is an special Act has to be given its due weight.



[Emphasis Supplied]

22. In view of the aforesaid judgment of Supreme Court in **Satish Chandra Ahuja** (Supra) which approved the judgment of learned Single Judge of High Court, this Court is of the opinion that this suit is maintainable and does not find merit in the objection of maintainability raised by defendant no. 2.

The defendant no. 2 in its written statement, has not raised any plea of non-maintainability of the suit in view of Section 27 of the Senior Citizens Act, 2007. This objection was only raised during oral arguments and thereafter, in written submissions. The Supreme Court in **S. Vanitha** (Supra) observed that in cases where in a given case competing rights of senior citizens under the Senior Citizens Act, 2007 and aggrieved woman's rights under the PWDV Act are a site of contestation, it would be appropriate for the Tribunal under the Senior Citizens Act, 2007 to appropriately mould the relief after noticing the competing claims of the parties. It also observed that the right of the aggrieved women for the relief of residents order can be obtained from any Civil Court in any legal proceedings. However, significantly the Supreme Court held that the aggrieved woman's (defendant no. 2 herein) claim of shared household under the PWDV Act has to be determined by an appropriate forum and the Supreme Court did not refer the matter back to the Senior Citizen Tribunal. In the said case, Supreme Court set aside the order of eviction passed by the Senior Citizen Tribunal as it was of the opinion that the aggrieved woman's claim to the shared household has to be decided by the appropriate forum (other than the Senior Citizen Tribunal). The Supreme Court held that the Senior Citizen Tribunal may grant appropriate relief of maintenance to the senior citizens therein.

In this case, since defendant no. 2 as well is asserting her rights of



shared household under Section 19 and 26 of the PWDV Act, this Court i.e., the Civil Court would be an appropriate forum for balancing the competing rights of the plaintiffs and the defendants. In fact, in view of the judgment of Supreme Court in **S. Vanitha** (Supra), the plaintiffs herein may be non-suited vis-à-vis defendant no. 2 in a Senior Citizen Tribunal for the relief of eviction.

Therefore, this Court finds the objection of maintainability a red-herring.

23. The defendant no. 2 has next contended that an interim mandatory injunction directing defendant no. 2 to vacate the suit property cannot be passed at an interim stage and must await a full-fledged trial so as to enable defendant no. 2 to prove that she is a victim of domestic violence at the hands of the plaintiffs and not otherwise as alleged in the plaint. It is contended that grant of this interim mandatory injunction would amount to allowing the final reliefs in the suit. Defendant no. 2 relies upon the aforesaid judgments of the Supreme Court to assert that since the suit property is a shared household, she cannot be evicted by this interim mandatory injunction. The defendant no. 2 has relied upon paragraph nos. 104, 106 and 110 of **Satish Chandra Ahuja** (Supra), which reads as under:-

“104. In view of the ratio laid down by this court in the above case, the claim of the defendant that suit property is shared household and she has right to reside in the house ought to have been considered by the Trial Court and non-consideration of the claim/defence is nothing but defeating the right, which is protected by Act, 2005.

.....

106. The power under Order 12 Rule 6 is discretionary and cannot be claimed as a matter of right. In the facts of the present case, the trial court ought not to have given judgment under Order 12 Rule 6 on the admission of the defendant as contained in her application filed under Section 12 of the DV Act. Thus, there is more than one reason for not



approving the course of action adopted by the trial court in passing the judgment under Order 12 Rule 6. We, thus, concur with the view of the High Court that the judgment and decree of the trial court given under Order 12 Rule 6 is unsustainable.

.....

110. Learned counsel for the appellant submitted that in the suit in question the defendant has not sought for any relief under Section 19. It is true that no separate application or separate prayer has been made by the defendant in the suit for grant of any relief under Section 19 but in her pleadings she has resisted the claim of plaintiff on the ground that she has a right to reside in the suit property it being her shared household. Thus, the question whether the suit premises is shared household of the defendant and she has right in the shared household so as the decree before the Trial Court can be successfully resisted were required to be determined by the Trial Court. We are further of the view that when in the suit defendant has pleaded to resist the decree on the ground of her right of residence in the suit property it was for her to prove her claim in the suit both by pleadings and evidence.”

[Emphasis Supplied]

24. The power of Civil Court to grant an interim mandatory injunction by providing the aggrieved women (defendant no. 2 herein) alternative accommodation has been approved by the Supreme Court in **Satish Chandra Ahuja** (*supra*) and it is also contemplated under the PWDV Act.

25. In the PWDV Act complaint filed by defendant no. 2 herein, learned M.M. vide order dated 22.12.2023 in exercise of its powers under Section 23 of the PWDV Act granted an ad-interim relief in favour of defendant no. 2 restraining the respondents therein (plaintiffs and the defendant no. 1 herein) from dispossessing defendant no. 2 from the suit property without following the due process of law. The said application for interim relief vis-à-vis residence has to be disposed of by the Ld. M.M. by passing an interim residence order as contemplated in Section 19(1) of the PWDV Act.

The Supreme Court in **Satish Chandra Ahuja** (*Supra*) at paragraph



124 recognised that the Civil Court while passing orders against aggrieved person for exclusion and eviction from the shared household can pass orders contemplated under Section 19(1)(f) of the PWDV Act. Section 19(1)(f) of the PWDV Act reads as under:

“**19. Residence Orders.-** (1)...

...

(f) directing the respondent to secure same level of alternate accommodation for the aggrieved person as enjoyed by her in the shared household or to pay rent for the same, if the circumstances so require:

Provided that no order under clause (b) shall be passed against any person who is a woman.”

26. On a plain reading of Section 23 read with Section 19 of the PWDV Act, a Metropolitan Magistrate is vested with the jurisdiction to pass interim residence orders, which includes an order of grant of alternative accommodation to the aggrieved women under Section 19(1)(f) of the PWDV Act. The relief sought by the plaintiffs in this application can therefore similarly be determined by this Court on the touch stone of Section 19(1) of the PWDV Act, which would include Section 19(1)(f), so that the rights of the defendant no. 2 as well can be balanced in these proceedings.

27. In this regard, it would also be apposite to refer to paragraph no. 56 of the judgment of the Coordinate Bench of this Court in **Ambika Jain v. Ram Prakash Sharma and Another**¹⁵. The directions passed in the said paragraph no. 56 [except paragraph no. 56(i)]¹⁶ were specifically approved by the Supreme Court in the judgment **Satish Chandra Ahuja** (Supra), specifically at paragraph no. 90. The paragraph 56 of **Ambika Jain** (supra) reads as under:

“56. In these circumstances, the impugned judgments cannot be

¹⁵ 2019 SCC OnLine Del 11886

¹⁶ The said direction was modified by the Supreme Court at paragraph no. 129 of **Satish Chandra Ahuja** (supra) judgment.



sustained and are accordingly set aside. The matters are remanded back to the trial Court for fresh adjudication in accordance with the directions given hereinbelow:

(i) At the first instance, in all cases where the respondent's son/the appellant's husband has not been impleaded, the trial Court shall direct his impleadment by invoking its suo motu powers under Order I Rule 10 CPC.

(ii) The trial Court will then consider whether the appellant had made any unambiguous admission about the respondent's ownership rights in respect of the suit premises; if she has and her only defence to being dispossessed therefrom is her right of residence under the DV Act, then the trial Court shall, before passing a decree of possession on the sole premise of ownership rights, ensure that in view of the subsisting rights of the appellant under the DV Act, she is provided with an alternate accommodation as per Section 19(1)(f) of the DV Act, which will continue to be provided to her till the subsistence of her matrimonial relationship.

(iii) In cases where the appellant specifically disputes the exclusive ownership rights of the respondents over the suit premises notwithstanding the title documents in their favour, the trial Court, while granting her an opportunity to lead evidence in support of her claim, will be entitled to pass interim orders on applications moved by the respondents, directing the appellant to vacate the suit premises subject to the provision of a suitable alternate accommodation to her under Section 19(1)(f) of the DV Act, which direction would also be subject to the final outcome of the suit.

(iv) While determining as to whether the appellant's husband or the in-laws bears the responsibility of providing such alternate accommodation to the appellant, if any, the trial Court may be guided by paragraph 46 of the decision in *Vinay Verma* (supra).

(v) The trial Court shall ensure that adequate safeguards are put in place to ensure that the direction for alternate accommodation is not rendered meaningless and that a shelter is duly secured for the appellant, during the subsistence of her matrimonial relationship.



(vi) This exercise of directing the appellant to vacate the suit premises by granting her alternate accommodation will be completed expeditiously and not later than 6 months from today.”

[Emphasis Supplied]

28. The directions enlisted at paragraph 56 (ii) and (iii) of the aforesaid judgment **Ambika Jain** (supra) as approved by Supreme Court leaves no doubt with respect to the jurisdiction of the Civil Court to grant interim mandatory injunction.

29. The judgments of the Supreme Court in **Satish Chandra Ahuja** (Supra) and **Prabha Tyagi** (Supra) relied upon by the defendant no. 2 do not hold that a Civil Court does not have jurisdiction to grant interim mandatory injunction. The said judgments hold that while entertaining suits at the behest of the owner of the property, who is a relative of the aggrieved person (defendant no.2 herein), the Court must adjudicate upon the rights of the aggrieved woman in the shared household as recognised under the PWDV Act and not to pass orders dehors the rights of the aggrieved woman under the PWDV Act. Therefore, this Court has jurisdiction to grant interim mandatory injunction, if the facts of the case otherwise merit such a relief.

30. The plaintiffs have placed on record an affidavit dated 07.04.2025 undertaking to provide alternate accommodation to defendant no. 2. It is stated that they are willing to offer alternate accommodation for an apartment fetching rent of Rs. 1,50,000/- per month, which is equivalent to the rental of the apartment in which defendant no. 1 is residing with his minor son. It is stated that the plaintiffs are willing to pay an advance rent equal to six (6) months and deposit the same in the Court. It is stated that plaintiffs undertake to continue pay the rent during the pendency of the suit.

31. The defendant no. 2 has not accepted the said offer for alternative



accommodation and has not suggested any different accommodation either. The defendant no. 2 has contended that the suit property is big enough for parties to continue to reside together. The defendant no. 2 has suggested that she will reside with her minor daughter on the first floor and she can use a designated entry and exit of the house, separate from the plaintiffs. The defendant no. 2 has emphasised that the suit property is lavish and palatial and she does not wish to shift out.

32. In these facts, this Court has to now examine whether the plaintiffs herein have made out a case for grant of an interim mandatory injunction against defendant no. 2 by directing her eviction and exclusion from the shared household i.e., the suit property, while directing the plaintiffs to provide defendant no. 2 with an alternate accommodation.

33. The admitted facts on record show that since the year 2023, there is a breakdown of familial relationship between the plaintiffs and the defendant no. 2. There are police complaints filed by the plaintiff no. 1 and defendant no. 2 has also filed an FIR as well as initiated proceedings under the PWDV Act against the plaintiffs, as well as their daughter and son-in-law. The counsellor's opinion [recorded in its report dated 15.04.2025] that the environment between the family members in the suit property has become toxic is not disputed and is evident from the legal proceedings pending between the parties. The failing health of plaintiff no. 2 who suffers from Parkinson's disease is a matter of record and the negative as well as escalating impact of this toxic environment on the disease is also not in dispute.

34. The defendant no. 2 admits that the bitter acrimony between defendant no. 1 and defendant no. 2 has adversely affected her as well, leading to her emotional and aggressive conduct of breaking things at home as well as loud



arguments between the parties, including the plaintiff no. 1. The defendant no. 2 has explained that plaintiff no.1 as well has also sided with defendant no. 1, which further alienated defendant no. 2 against the plaintiffs leading to arguments and breakdown of the relationship.

35. In the considered opinion of this Court, the admitted facts on record show that the atmosphere of the suit property is not congenial for peaceful living either for the plaintiffs or the defendant no. 2. There is no doubt that the environment in the suit property is adversarial between the parties and it is neither loving nor cordial. Plaintiff no. 1 is the owner of the property and she permitted defendant nos. 1 and 2 to reside in this property in 2009 after their marriage. The parties since 2023 have stopped living as a family. The relationship between the parties has broken down and (multiple) reconciliation attempts have failed. In these facts, the recommendation of the counsellor that party should separate for each other's mental well-being commends to this Court. The bitterness between the plaintiff no. 1 and the defendant no. 2 are admitted and compelling them to live together in the suit property is not in interest of either party. However, since plaintiff no. 1 is the owner of the suit property, the direction to move out of the suit property has to follow against defendant no. 2.

36. The facts show that the defendant no. 2 created ruckus in the house after disputes arose between her and defendant no. 1. Maybe defendant no. 2 feels justified for her unruly conduct as an emotional reaction to the conduct of plaintiff no. 1 and defendant no. 1; however, such a conduct if unacceptable to the plaintiffs would certainly give them a cause for seeking exclusion and eviction of defendant no. 2 from the shared-household. The fact that the plaintiffs and the defendant no. 2 resided peacefully between 2009 to 2023 is



a testament in favour of both the parties and thus, if the relationship has broken down after 2023, the plaintiffs are justified in praying for an interim mandatory injunction on the admitted facts of this case. Moreover, the plaintiffs have offered to provide alternative accommodation to the defendant no. 2 equivalent to the accommodation in which the defendant no. 1 along with the minor son is residing.

37. However, the defendant no. 2 has resisted this interim mandatory injunction on the plea that the suit property is lavish and palatial and has rejected the offer of accommodation in the Central Park-II township, situated in Sector – 48, Gurugram, Haryana.

The toxicity of the atmosphere in this lavish and palatial home has already been noted in the preceding paragraph. The defendant no. 2 has elaborated on the misconduct of the plaintiffs and is admittedly embroiled in multiple legal proceedings with the plaintiffs. To say the least, the atmosphere in this palace would be tense and unhappy. An ordinary prudent person would prefer to live independently, in a separate household away from the disputes and such relatives so as to live a peaceful life. This argument of palatial and lavish home therefore fails to persuade the Court.

38. This Court is therefore satisfied that the plaintiffs have made out a stronger than prima facie case for grant of an interim mandatory injunction in their favour. This Court is of the opinion that by directing the defendant no. 2 to vacate the suit property, both the plaintiffs and defendant no. 2 will be benefited as they will be separated from the toxicity of their relationship. This Court is satisfied that the plaintiff's prayer seeking separation of residence from defendant no. 2 is based on cogent grounds and not whimsical.

39. The counsellor has observed that this toxic atmosphere is also



detrimental to the mental health of the minor children. Defendant no. 2 along with her minor daughter (since 16.05.2025) is residing in the suit property and the estrangement between the plaintiffs and the defendant no. 2 has already percolated to the minor daughter as contended during the arguments. It would therefore also be in the interest of the minor daughter if she lives with her mother in a separate and a peaceful household.

40. The suggestion of the defendant no. 2 that parties can live in the same household with separate entries and exit fails to persuade this Court. The parties started living together in 2009 as a single-family unit and they have resided and used the property as a single unit. It is not a property with independent dwelling units. There are common areas which parties are bound to use during the course of daily living. With so much acrimony between the parties and deep fault lines expecting parties to live in a single unit does not commend to this Court.

41. This Court would like to clarify that it has not expressed any opinion on the merits of the allegation of cruelty levelled by the plaintiffs and the defendant no. 2 against each other. It is on a demurer, having perused the facts pertaining as to the breakdown of the relationship between the parties that the Court has concluded that it is in the best interest of the parties that they part ways amicably and live separately, while legal proceedings are continued and pursued.

42. Accordingly, the plaintiffs are directed to provide an alternate accommodation to defendant no. 2 on the following terms and conditions:

- i. Rental of Rs. 2.50 lakhs per month with a bi-annual increase of 10%.
- ii. Security deposit demanded by the landlord to be paid by the



plaintiffs.

- iii. The plaintiffs will bear the brokerage charges.
- iv. Advance rent equivalent to 6 months to be deposited by the plaintiffs with the defendant no. 2.
- v. A registered lease deed/rent agreement will be executed for a minimum period of two years.
- vi. Maintenance charges payable to the RWA/Managing Agency of the Complex, on actual basis and the electricity/water charges, on actual basis to be borne by the plaintiffs.
- vii. The plaintiffs will bear the cost of shifting/transportation of the goods of defendant no. 2 from the suit property to the rental property.

43. The defendant no. 2 will be at liberty to select an apartment of her choice within 30 days from today. The defendant no. 2 may select the apartment in the same Complex where defendant no. 1 is residing or any other Complex or neighbourhood, whether in Delhi or in Gurugram.

44. The rental of Rs.2.50 lakhs per month has been fixed keeping in view the facilities available in the suit property for its residents.

45. In case, the defendant no. 2 fails to select an apartment of her choice within 30 days, the plaintiffs will be at liberty to select an apartment in Central Park-II township, situated in Sector – 48, Gurugram, Haryana.

46. The defendant no. 2 will vacate the suit property within 60 days from the passing of this order.

47. Defendant no. 2 is hereby enjoined from entering the suit property after expiry of the 60 days. Accordingly, prayer clause (b) of I.A. 546/2024 is allowed.



48. It is made clear that in case, the plaintiffs default in making payments towards rental, etc. as stipulated in paragraph 39 above, resulting in the defendant no. 2's being evicted from the rental property, the defendant no. 2 will be entitled to return the suit property and reside therein.

49. This application also seeks an interim mandatory injunction against defendant no. 1 [son of the plaintiffs] for vacating the suit property. As noted above, it has been stated that the defendant no. 1 has already vacated the suit property and is residing in a flat in Tower No. 24 (N), Apartment No. 12A, Central Park-II, Sector 18, Sohna Road, Gurugram, Haryana. The defendant no. 2 has alleged that this is a collusive suit between plaintiffs and defendant no. 1. This fact has been disputed by the plaintiffs. For the purpose of deciding this application, this Court has relied upon the representation of the plaintiffs that defendant no. 1 is residing separately. The plaintiffs and the defendant no. 1 are accordingly bound down to the said submissions and it is directed that the defendant no. 1 will not shift back into the suit property without seeking prior permission of this Court.

50. The defendant no. 2 contended that relationship between the plaintiffs and defendant no. 1 is cordial. The Court takes note of this fact and does not find this to be any ground for denying the relief of interim mandatory injunction against defendant no. 2.

51. It is directed that the plaintiffs will continue to pay the school fees including tuition fees and all other educational expenses of the grandchildren as averred in the pleadings.

52. Since this is an interim measure and the rights of the defendant no. 2 also have to be protected so as to secure her alternative accommodation, the plaintiffs will not create any third-party interests in the suit property until the



final disposal of the suit, by maintaining status quo *qua* title of the suit property. This direction vis-à-vis the plaintiffs is also in consonance with Section 19(1)(e) of the PWDV Act.

53. The aforesaid arrangement shall continue during the subsistence of the matrimonial relationship between defendant no. 1 and defendant no. 2.

54. With the aforesaid directions, I.A No. 546/2024 and I.A No. 6586/2024 I.A No. 41474/2024 stand allowed.

I.A. No. 9122/2024

55. This is an application under Section 151 of CPC seeking directions to the Delhi Police to place on record the inquiry report conducted at the suit property.

56. The inquiry report dated 16.04.2024 of the Delhi Police is already on record in Part I-A of the Court's e-file and therefore, the relief sought in this application has been satisfied.

57. Accordingly, this application is disposed of, as infructuous.

I.A No. 49094/2024

58. This is an application under Section 151 of CPC seeking exemption from filing certified copies of the annexures.

59. Subject to the plaintiff filing the certified copies of the documents and clear and legible copies of any documents sought to be relied upon within four (4) weeks from today, exemption is granted for the present.

60. Accordingly, this application stands disposed of.

CS(OS) 19/2024 & I.A No. 49093/2024

61. The allegations of domestic violence levelled by defendant no. 2 are subject matter of adjudication in the complaint filed before the learned MM. This suit itself can be disposed of in terms of this injunction order reserving



rights of the parties to have the allegations of domestic violence adjudicated in the said complaint. This will avoid two (2) trials of the same allegation. The parties shall take instructions on this issue before the next date of hearing.

62. List the matter before the Roster Bench on **13.10.2025**.

MANMEET PRITAM SINGH ARORA

(JUDGE)

SEPTEMBER 09, 2025/rhc/MG

Click here to check corrigendum, if any