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

+ **FAO(OS) 26/2016**

SANJAY KRIPLANI AND ANR

..... Appellants

Through : Mr Arjun Singh Bawa with Ms Vishakha Gupta

versus

M/S WHITEFIELD MOTORS PVT LTD

..... Respondent

Through : Mr I. S. Alag with Mr J. S. Lamba, Mr Rajesh
Kumar, Mr Ahmad Sharfraz and Mr Dashrath
Raghav

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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01.02.2016

CM 3438/2016

Allowed subject to all just exceptions.

FAO(OS) 26/2016

This appeal has been filed against the order dated 22.01.2016 passed in IA 973/2016 in CS(OS) 2755/2014. The learned Single Judge has issued notice on the said application and has directed the respondent/plaintiff to file the reply to the application within two weeks. The next date fixed in the application is 02.03.2016.

The learned counsel for the appellant states that the application needs to be heard urgently and certain directions are needed from the learned Single Judge because of the fact that the appellant has entered into negotiations with a prospective buyer in respect of the property referred to in the order dated 24.12.2014. The learned counsel for the appellant also points out that he is ready with the draft for the sum of Rs 2 crores. It is

also stated by the learned counsel for the appellant that the prospective buyer is not likely to wait till March, 2016 and, therefore, necessary directions are required.

Mr Alag, the learned counsel appearing on behalf of the respondent, states that the reply to the said application would be filed within five days.

In these circumstances, although no interference is called for on the merits, we feel that the learned Single Judge ought to dispose of the application at an early date.

Consequently, we are directing that the said IA 973/2016 be listed before the learned Single Judge on 11.02.2016 instead of 02.03.2016. The appeal stands disposed of. We are making it clear that we have not commented on the merits of the matter.

BADAR DURREZ AHMED, J

**FEBRUARY 01, 2016
SR**

SANJEEV SACHDEVA, J