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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 848/2013 & C.M. No.13098/2013 (stay)
SHRI THAKUR BALWAN SINGH

..... Petitioner

Through Mr. Sakalbhushan and Mr. Rahul Shukla,
Adv.

versus

SHRI VIJAY THAKUR

..... Respondent

Through Mr. Kirti Uppal, Sr. Adv. with Mr. R.K.
Saini, Mr. Sidharth Chopra and Ms.
Wamika Trehan, Adv.

+ CM(M) 961/2013 & C.M. No.14497/2013 (stay)
THAKUR BALWAN SINGH

..... Petitioner

Through Mr. Sakalbhushan and Mr. Rahul Shukla,
Adv.

versus

VIJAY THAKUR

..... Respondent

Through Mr. Kirti Uppal, Sr. Adv. with Mr. R.K.
Saini, Mr. Sidharth Chopra and Ms.
Wamika Trehan, Adv.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **14.01.2016**

The order impugned before this Court is the order dated 23.07.2013 which has been passed by the Senior Civil Judge in MAC No. 11/2013 titled as Thakur Balwan Singh Vs. Vijay Thakur which was a suit for injunction. Learned counsel for the petitioner informs this Court that the subsequent to the filing of that suit, a suit for declaration had been filed by the petitioner which is pending before a Bench of this Court (on the Original Side) wherein

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certain pages of the alleged sale deed dated 16.02.2000 (which as per the averments of the petitioner were forged) have been stayed. Learned counsel for the petitioner in this factual scenario submits that the present suit for injunction would become infructuous as the entire compass of the dispute pending in the suit for injunction has now been taken over by the subsequent suit which is a suit for declaration and which is pending as noted supra before a Bench of this Court. Learned counsel for the petitioner submits that he will accordingly withdraw his suit for injunction i.e. suit No. 489/2013 titled Thakur Balwa Singh Vs. Vijay Thakur pending in the Court of Senior Civil Judge (listed in April, 2016) on the next date. It is made clear that this Court has not made any observation on the merits of the controversy which was pending in the suit for injunction and it will be open for the parties to make their respective submissions before the Court where the subsequent suit for declaration is pending.

With these directions, petitions disposed of.

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INDERMEET KAUR, J

JANUARY 14, 2016.

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