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

+ **FAO(OS) 96/2017 & CM Nos.12818-12822/2017**

OSWAL GREENTEC LIMITED

..... Appellant

Through : Mr.Ashwini Mata, Sr.Adv. with
Mr.Vijay Sondhi, Ms.Amrita Singh
and Mr.Abhishek, Advs.

versus

PANKAJ OSWAL & ORS

..... Respondents

Through : Mr.Divyan Agarwal, Adv. for R-1

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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11.04.2017

Issue notice.

Mr.Divyan Agarwal, Advocate accepts notice.

This is appeal by a third party i.e. Oswal Greentech Ltd. who claims to be owner in possession. To say so it relies upon a sale deed dated 21st December, 2006 and certain other documents in support of the plea. The learned Single Judge vide order dated 8th February, 2017 directed status quo with respect to suit property - 3, Tilak Marg,

Delhi measuring 2.5 acres. The appellant was not impleaded. Given the nature of the plea and the documents placed on the record the Court is of the opinion that it would be appropriate that the Single Judge considers the appellant's submissions with respect to the order impleading it at its earliest opportunity. In the circumstances the appellant is granted liberty to move application under Order 1 Rule 10 and any other consequential application including under Order 39 Rule 4/Section 151 CPC, with appropriate documents. In case such application is filed within a week, the learned Single Judge may consider and pass appropriate orders expeditiously. Parties are directed to be present before the Single Judge on 24th April, 2017. In case all parties are not present on the said date the learned Single Judge shall take appropriate steps to issue notice to other parties who are not represented i.e. defendants in the suit and hear the application at his earliest convenience.

The appeal is disposed of in above terms.

Order dasti.

S. RAVINDRA BHAT, J

YOGESH KHANNA, J

APRIL 11, 2017
VLD