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

+ CM(M) 382/2017 and CM Nos.13595-97/2017

RAJU AKA RAJESH KUMAR & ANR Petitioners
Through Ms.Aastha Dhawan, Advocate

versus

JAGDISH Respondent
Through

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
11.04.2017

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1. By the present petition filed under Article 227 of Constitution of India, the petitioners seek to impugn the orders dated 28.03.2017 and 29.03.2017. On 28.03.2017, an application filed by the petitioners for stay of the execution proceedings was adjourned for the date fixed after having issued notice to the respondent. On 29.03.2017, the application was merely notified for the date already fixed i.e. 18.04.2017
2. The suit was filed by the respondent for permanent and mandatory injunction. The suit was decreed on 17.12.2016.
3. An advance notice has been sent to the respondent by speed post but none is present for the respondent.
4. Learned counsel for the petitioners submits that warrants of possession have already been issued and a bailiff is to be appointed with powers to break open the lock. She submits that the petitioners have been staying in the suit property since 1960 and in case they are dispossessed,

grave and irreparable injury would be caused.

5. Keeping in view the above averments of the learned counsel for the petitioners, there shall be stay of the execution of the warrants of possession till the next date of hearing before the appellate court, namely, 18.04.2017. On that date, the appellate court will hear and pass appropriate orders on the application for stay filed by the petitioners uninfluenced by any observations or orders passed by this court.

6. In view of the above, the present petition stands disposed of.

7. All pending applications also stand disposed of.

8. Copy of the order be given dasti under the signatures of the Court Master.

JAYANT NATH, J

APRIL 11, 2017

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