

\$~32

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 878/2017
VEER BALA AGARWAL (SINCE DECEASED THR LR DR D C
AGARWAL) Petitioner

Through: Mr. Naresh K. Daksh, Adv.

Versus

SURESH KUMAR AGGARWAL & ORS Respondents

Through: Mr. Shiv Charan Garg, Adv. for R-1
to 5 and R-9 to 11.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

18.08.2017

CM No.29330/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM(M) 878/2017

3. This petition under Article 227 of the Constitution of India seeks directions for expeditious disposal of Civil Suit No.17278/2016 (Old No.49/2016) of the Court of Additional District Judge (ADJ)-10, Central District, Tis Hazari Courts, Delhi].
4. The suit is more than ten years old, of the year 2003.
5. The suit was listed last before the learned ADJ on 24th July, 2017 when it has been adjourned to 5th December, 2017.
6. The State Court Management Systems Committee of this Court has been issuing directions for expeditious disposal, in the first instance, of suits more than 10 years old, latest by 31st December, 2017 and all the District Judges have been assuring progress in that respect.

7. However grant of adjournment on 24th July, 2017 by the learned ADJ, in a more than ten years old suit, to 5th December, 2017 is indicative of the assurances being given, at least by the District Judge (Central), Tis Hazari Courts, Delhi being not correct. It appears that all the ADJs are not even aware of the said directions.

8. The counsel for the respondents no.1 to 5 and 9 to 11 appears on advance notice.

9. The counsel for the petitioner states that the respondents no.6 to 8 have not been appearing in the suit Court also.

10. The counsel for the respondents No.1 to 5 and 9 to 11 fairly states that he is not opposing expeditious disposal of the suit.

11. The petition is disposed of by directing the learned ADJ to deal with the suit in terms of the assurances being given by the District Judge (Central), Tis Hazari Courts, Delhi in the State Court Management Systems Committee's hearing.

12. The date before the learned ADJ is preponed to 25th August, 2017 when the counsels to appear before the learned ADJ and the learned ADJ to proceed with the suit.

13. A copy of this order be also forwarded to the Chairman, State Court Management Systems Committee of this Court for intimation as well as to the District Judge (Central), Tis Hazari Courts, Delhi for taking corrective measures required.

No costs.

RAJIV SAHAI ENDLAW, J

AUGUST 18, 2017/‘gsr’..

CM(M) 878/2017

Page 2 of 2