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

+ CM(M) 230/2008

SATWANT KAUR & ORS.

..... Petitioners

Through: Mr. P.D. Gupta, Sr. Adv. with Mr.
Amit Sanduja, Advs. with petitioner
no. 3 in person.

versus

D.D.A. & ORS.

..... Respondents

Through: Mr. Raghavendra P. Singh and Ms.
Ashita Chhibber, Advs. for Ms.
Kanika Agnihotri, Adv. for DDA.

Mr. Sanjeev Sindhwani, Sr. Adv. with
Mr. Rajeev Garg, Mr. Sandeep Banga
& Mr. Ashish Gera, Advs. for R-6.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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11.01.2018

After some hearing, the learned counsel on all sides fairly agree that this petition be disposed of with directions to the effect that in terms of the ad interim order dated 21.02.2008, the first respondent i.e. the Delhi Development Authority (DDA) shall not convert the suit property into a freehold tenure during the pendency of the civil suit before the trial court subject to the right of either party to approach the trial court for modification or for its terms to be varied in case exigency arises for such modification or variance to be requested. Ordered accordingly.

The learned counsel on both sides point out that the civil suit having been instituted in 2006, is already eleven years old and, therefore, there is a need for expeditious trial. This Court is confident that the learned trial court will accord the necessary expedition to the proceedings and make all endeavour to take it to the logical conclusion on an early date. But, for this, the respective parties and their counsel would have to cooperate. The learned counsel on all sides submit an undertaking that no adjournments will be taken and that effective steps will be taken on all dates of hearing before the trial court.

It is submitted by the counsel on all sides that trial court record was called for in the year 2008 prior to the bifurcation of Delhi into more than one civil judicial district. Therefore, the parties do not seem to be aware of the successor court.

In these circumstances, the parties are directed to appear before the District and Sessions Judge (West) at Tis Hazari Court to which the case statedly pertains, on 29th January, 2018, as chosen by them.

The trial court record will be returned forthwith along with copy of this order. The District and Sessions Judge (West) may allocate the case to the court of appropriate jurisdiction.

The Petition is disposed of in above terms.

R.K.GAUBA, J

JANUARY 11, 2018

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