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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6896/2018**
DEEPAK TYAGI & ANR

..... Petitioners

Through: Mr. Sunil Dutt Dixit, Adv.

versus

MUKESH DEVI & ORS

..... Respondents

Through: Mr. Rajneesh Bhaskar, Mr. Prakash
Gohk and Mr. Uttam Advs. for
R3/SDM

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **11.07.2018**

On the last date of hearing this Court has passed the followed order:

“1. The present petition has been filed with the following prayers:-

“In the aforesaid premises and circumstances of the case and just to meet the ends of justice, it is, therefore, most respectfully prayed that this Hon’ble Court may graciously be pleased to:-

i) Issue a writ of certiorari or any other appropriate writ/order or directions, thereby

(a) summoning the record of the Case No.55/RA/SDM/CL/2014 titled as “Mukesh Devi & Anr. Vs. Deepak Tyagi & Anr.” and dismiss/reject the said petition of the respondents herein under order VII rule 11 CPC; and / or
b) directing the respondent No.3 to decide the application dated 2.2.2016 of the petitioners moved under order VII rule 11 CPC expeditiously/within the time duration as decided by

this Hon'ble Court;

ii) Pass any other/further order(s) instruction(s) and direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case in favour of the petitioners and against the respondents."

2. Mr. Dixit states, he shall only press prayer (i)(b) to the petition. Noting the said submission, as of now issue notice to the respondent No.3. Counsel as above accepts notice for respondent No.3, seeks and is allowed a week's time to take instructions.

3. List on 11th July, 2018."

Learned counsel for the respondent No.3 states that he has instructions to state that the application under Order VII Rule 11 CPC filed by the petitioners shall be decided by the SDM within three months. The statement is taken on record.

In view of the above, nothing further survives in this writ petition; the same is disposed of as such.

Dasti.

V. KAMESWAR RAO, J

JULY 11, 2018/aky