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

+ RFA 651/2018 & CM Nos. 32106-07/2018

SHIVANDU SHARMA & ORS Appellants
Through: Mr. Vikas Sharma, Advocate.

versus

RAJ RANI Respondent
Through

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

% **ORDER**
10.08.2018

1. After arguments, this appeal is disposed of as not pressed inasmuch as counsel for the appellants states that appellants being the wife and children of the deceased son of the respondent/plaintiff, they have a right to stay in the matrimonial home as they have been continuously staying in the matrimonial home being the house of the husband/father of the appellants, and therefore, this cause of action which is an independent cause of action having not been decided by the subject suit, on such cause of action the appellants proposed to file a fresh suit in accordance with the Division Bench judgment passed by this Court in the case of *Navneet Arora Vs. Surender Kaur & Ors 2014 (145) DRJ 199 (DB)*.

2. The appeal is therefore disposed of as not pressed but with the aforesaid liberty to file a fresh suit on the separate cause of action and the ratio of the judgment of the Division Bench in the case of *Navneet Arora (supra)*.

VALMIKI J. MEHTA, J

AUGUST 10, 2018
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