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

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Judgment delivered on: 04.08.2020

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CM(M) 403/2020
DEEPAK

..... Petitioner

versus

KAPTAN SINGH

..... Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Azjam Ansari with Mr. Mohammed Mustafa and
Md. Ashfaque Ansari, Advocates.

For the Respondent: None.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

**CM APPL.17596/2020 (exemption from certified copies) & CM
APPL.17597/2020 (exemption from filing notarized affidavits and
court fee)**

Exemptions are allowed subject to all just exceptions. The duly
attested copy of affidavits and court fee shall be filed within one week of
the resumption of the regular functioning of the Court.

CM(M) 403/2020 & CM APPL.17595/2020 (for grant of status quo)

1. The hearing was conducted through video conferencing.
2. Petitioner has filed this petition contending that an urgent
application filed by the petitioner on 30.07.2020 before the Trial Court
was not listed for hearing.

3. It is contended that the respondent is raising unauthorised illegal construction on the plot purchased by the petitioner.

4. Petitioner has filed the subject suit for permanent injunction in which summons have been issued returnable for 08.10.2020.

5. Learned counsel for the petitioner submits that subsequently petitioner came to know that the respondent has started raising unauthorised construction with haste. He approached the Trial Court, however, the urgent application filed by the petitioner in the Registry has not yet been listed.

6. Since the Suit of the petitioner is already pending before the Trial Court and the application was filed only on 30.07.2020, this petition is premature, however interest of justice require that the Trial Court should expeditiously take up for consideration the urgent application filed by the petitioner on 30.07.2020.

7. In view of the above, this petition is disposed of directing the Trial Court to expeditiously take up for consideration the application filed by the petitioner on 30.07.2020 and dispose of the same in accordance with law.

8. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email.

AUGUST 04, 2020
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SANJEEV SACHDEVA, J