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

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Date of Decision: July 07, 2021

+ CM (M) 417/2021, CM APPL.19653/2021 (Exemption)

MANJU RANI

.....Petitioner

Through: Ms. Komal Chhibber, Advocate for
Mr.Praveen Suri, Advocate

Versus

SHIV PROPERTY DEALER

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

[VIA VIDEO CONFERENCING]

ASHA MENON, J: (Oral)

CM APPL.19653/2021 (Exemption)

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

CM (M) 417/2021

1. The petitioner is aggrieved by the order of the learned Trial Court dated 5th June, 2021 in Civil Suit No. 95251/2016 thereby declining to treat the matter as urgent for early listing.
2. Ms. Komal Chhibber, learned counsel for the petitioner submits that the petitioner had approached this Court twice before as litigation in this case had commenced in the year 1988 and the matter was not being taken up for hearing by the Trial Court and vide two orders dated 11th

October, 2019 and 3rd March, 2021, this Court had directed the learned Trial Court to dispose of the matter expeditiously. Yet, it is submitted by learned counsel, the learned Trial Court has dismissed the application moved by the petitioner for early hearing of the matter as en-bloc dates were being given in not so urgent matters.

3. Learned counsel for the petitioner informs that both the respondents have expired and applications for substitution of their legal representatives are pending disposal and the legal representatives are yet to be substituted. It is also informed that the notices to the legal representatives of the deceased respondents have remained unserved.

4. In these circumstances, the learned Trial Court is directed to take up the case for hearing on the date already fixed, i.e., 16th August, 2021 and proceed with the trial in accordance with law, keeping in mind the two orders of this Court directing the learned Trial Court to dispose of the matter expeditiously.

5. This Court once again directs the learned Trial Court that all endeavour be made to dispose of this case, not later than six months from the date of this order.

6. With the aforesaid directions, the present petition is disposed of.

7. The order be uploaded on the website forthwith.

(ASHA MENON)
JUDGE

JULY 07, 2021
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