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

% Judgment delivered on: 16.03.2023

+ CM(M) 424/2023

RAHUL NATH

..... Petitioner

versus

ANSAL VILLA RESIDENTS ASSOCIATION THROUGH ITS
SECRETARY AND ORS

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Mayank Bansal, Adv.

For the Respondent : Mr. Ankur Chawla, Mr. Anuj Malhotra and
Ms. Prerna Mahajan, Adv.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

CM APPL. 12641/2023 (Exemption)

1. Exemption is allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. The petitioner challenges the order dated 24.01.2023 passed in CS SCJ No.1160/2022 titled "*Rahul Nath Vs. Ansal Villa Resident Welfare Association And Ors.*"
4. The grievance of the petitioner is that though the learned Trial Court had issued notice on the suit as well as on the application seeking

ad interim injunction, however, no order on such application was passed.

5. It is informed by learned counsel appearing for the respondents on advance notice, that reply to the said interim stay application has already been filed.

6. Copy of the same be supplied to learned counsel appearing for the petitioner during the course of the day.

7. It is urged by both the counsels that the said application be taken up urgently and disposed of in accordance with law by the learned Trial Court.

8. In view of the aforesaid submissions and keeping in view the urgency as stated by the learned counsel appearing for the petitioner, it is deemed appropriate to request the learned Trial Court to take up the interim application under Order XXXIX Rule 1 & 2 CPC, 1908 filed by the petitioner with the suit on 22.03.2023 and dispose of the same on the same day or soon thereafter after giving opportunity to the other side to argue. Parties shall not seek adjournment on 22.03.2023.

9. With the aforesaid observations, the present petition is disposed of with no order as to costs.

TUSHAR RAO GEDELA, J .

MARCH 16, 2023

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