



\$~65

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

% Judgment delivered on: 26.05.2023

+ CM(M) 915/2023

SARVESH BHATNAGAR AND ORS Petitioners

versus

M S BHATNAGAR AND ORS Respondents

Advocates who appeared in this case:

For the Petitioners : Mr. Arun Bhatta, Mr. Puneet Bhatnagar, Mr. Indhirajith Prabhakaran, Advocates.

For the Respondents : None.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

CM APPL. 28992/2023 (for exemption)

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

CM(M) 915/2023 & CM APPL. 28991/2023 (for stay)

3. Petitioner has approached this Court under Article 227 of the Constitution of India seeking certain directions.



4. Mr. Arun Bhatta, learned counsel appearing for the petitioners submits that the arguments on re-drawing of the preliminary decree has been pending since 2019 and for varied reasons, the said issue has not been disposed of till now by the learned Trial Court.

5. Learned counsel prays and seeks only an indulgence from this Court to direct the learned Trial Court to take up the said issue and dispose it of expeditiously, in accordance with law

6. In view of the aforesaid, this Court does not deem it appropriate to issue notice to the other side and call upon a response from the respondents.

7. Keeping in view the prayers so made by the petitioner, it would be in the interests of justice of all the parties to the *lis* that the aforesaid issue regarding re-drawing of the preliminary decree be taken up in all earnest as expeditiously as possible.

8. Learned counsel informed that the issue is pending adjudication before the learned Trial Court now on 26.08.2023.

9. It would be in the interests of justice that the learned Trial Court takes up the matter on 26.08.2023, hear the arguments and thereafter proceed to dispose of the same in accordance with law not later than 30 days from 26.08.2023.

10. In view of the above, the petition along with pending application is disposed of with no order as to costs.

TUSHAR RAO GEDELA, J.

MAY 26, 2023/nd