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

*Date of decision: 18.10.2023*

+ CM(M) 1711/2023 & CM APPL. 54319/2023

NARAIN DASS

..... Petitioner

Through: Mr. Prem Garg, Advocate

versus

LAXMI NARAM & ORS.

..... Respondents

Through: None

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**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**J U D G M E N T**

**MANMEET PRITAM SINGH ARORA, J (ORAL):**

**CM APPL. 54320/2023 (For Exemption)**

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

**CM(M) 1711/2023 & CM APPL. 54319/2023**

1. This petition has been filed under Article 227 of the Constitution of India, seeking a limited relief that the Trial Court be requested to hear and decide the interim application filed by the Petitioner herein i.e., plaintiff under Order XXXIX Rule 1 and 2 of the Code of Civil Procedure, 1908 ('CPC') in CS No. 127/2020.

1.1 The Petitioner herein is the plaintiff and the Respondents are defendants before the Trial Court in the civil suit.



2. The learned counsel for the Petitioner states that the application seeking interim relief was filed on 27.02.2020.

2.1. He states that though the application has been argued on several dates; however, no final orders have been passed in the said application; and it was in these circumstances, the present petition has been filed seeking a direction for pronouncement of judgement on the said application.

2.2. He states that however, in the interregnum, before this petition could be listed, there has been a change of the presiding Officer and a new Judge has now taken charge.

2.3. He states that the matter is next listed before the Trial Court on 20.10.2023.

3. This Court has considered the submissions of the Petitioner and perused the record.

4. It appears from the order-sheet of the Trial Court that the matter was heard on several dates and has remained pending for over three (3) years.

5. In these circumstances, the learned Trial Court is requested to hear and decide the application of the plaintiff filed under Order XXXIX Rule 1 and 2 of CPC preferably within a period of four (4) weeks from 20.10.2023; the date already fixed before the Trial Court.

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

**MANMEET PRITAM SINGH ARORA, J**

**OCTOBER 18, 2023/sk**

*Click here to check corrigendum, if any*