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

+ **CM(M) 2384/2024**

PRACHI SRIVASTAVA

..... Petitioner

Through: Ms. Hitankshi Bhatnagar and Mr.
Yashaswi Bhatnagar, Advs.

versus

GEETA KHARE & ORS.

..... Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

23.04.2024

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CM APPL. 23302/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2384/2024, CM APPL. 23300/2024—stay, CM APPL. 23301/2024—Exp. From filing TCR

3. The present petition under Article 227 of the Constitution of India has been filed seeking directions for the respondents to arrange a permanent separate accommodation for the petitioner and her children and till the time such arrangement is made, execution bearing no. 48/2019 titled as “*Geeta Khare and Anr. vs. Rajnish Srivastava*” pending before the Court of learned Civil Judge, Rohini Courts, New Delhi (“Executing Court”) be stayed.
4. Learned counsel for the petitioner submits that vide order dated



01.04.2024, the learned Executing Court in execution bearing no. 48/2019 ordered for issuance of warrants of possession against the immoveable property i.e. B-349, Lok Vihar, Pitampura, New Delhi – 110034 with permission to break open the locks, if necessary, along with police aid. Learned counsel further submits that appointment of bailiff has been ordered and decree holder has been directed to appear before the Court of learned ACJ for appointment of bailiff on 15.04.2024 and accordingly, there is urgency in the matter.

5. Learned counsel for the petitioner seeks permission to withdraw the present petition to move appropriate petition before the appropriate forum as per law, however, for a week, protection be granted with respect to order dated 01.04.2024.

6. In view of the submissions, order dated 01.04.2024 is stayed for two days and in the meanwhile, petitioner is at liberty to move appropriate forum, as per law.

7. Permission granted to withdraw.

8. Accordingly, the present petition along with the pending applications is disposed of.

SHALINDER KAUR, J

APRIL 23, 2024/ss