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

+ **FAO(OS) 56/2024**

PUNEET JAIN & ANR.

..... Appellants

Through: **Mr.J.K.Bhola with Ms.Muskan
Bhola, Advocates.**

versus

SATYA BHUSHAN JAIN & ANR.

..... Respondents

Through: **Dr.Hrishikesh Baruah with Mr.Kumar
Kshitij, Advocates for R-1.**

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

02.05.2024

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1. Present appeal has been filed by the appellants/defendants No. 1 and 2 challenging the order dated 19th February, 2024 passed by the learned Single Judge of this Court in CS(OS) 618/2022, whereby the right of the appellants to file written statement was closed. The appellants further challenge the order dated 11th March, 2024 passed by the learned Single Judge of this Court in CS(OS) 618/2022.

2. Since a preliminary decree in the present case has already been passed vide order dated 11th March, 2024, the impugned order dated 19th February, 2024 has merged with the order dated 11th March, 2024. Consequently, only a Regular First Appeal (RFA) would be maintainable.



3. At this stage, learned counsel for the appellants states that the appellants has already filed RFA(OS) No.16/2024 challenging the preliminary decree dated 11th March, 2024.

4. In view of the aforesaid development, the present appeal alongwith the applications is disposed of with liberty to the appellants to agitate their grievances in RFA(OS) No.16/2024. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 2, 2024
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