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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 2812/2024 & CM APPL. 35724/2024 & CM APPL.
35725/2024
SUDESH SHARMA Petitioner

Through Mr. Manoj Kumar Mishra, Advocate
Mr. Sudesh Sharma, petitioner in
person

versus

KISHORE SHARMA & ORS. Respondent
Through None

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
% **01.07.2024**
CM APPL. 35724/2024 (exemption)

Exemption allowed subject to all just exceptions.

CM(M) 2812/2024

1. Present petition has been filed under Article 227 of the Constitution of India for issuance of directions to the learned Trial Court to expedite the disposal of partition suit and in particular of the application moved under Order XII Rule 6 CPC.
2. Petitioner herein happens to be the plaintiff and he filed a suit for partition against his siblings.
3. According to learned counsel for petitioner, in view of the stand taken in the written statement, petitioner had filed an application under Order XII



Rule 6 CPC way back on 06.10.2022 but such application has yet not been decided.

4. During course of arguments, learned counsel for petitioner has confined his prayer to the extent that learned Trial Court may be asked to dispose of said application, which is pending for quite some time.

5. Copy of such application has also been annexed as Annexure-P5.

6. Attention of this Court has also been drawn towards various previous orders passed by the learned Trial Court.

7. Keeping in mind the material placed before this Court and the fact that application under Order XII Rule 6 CPC has been filed way back in the year 2022, present petition is disposed of with the direction to learned Trial Court to dispose of said application moved by the petitioner herein i.e. plaintiff under Order XII Rule 6 CPC within three months of the next date which is stated to be 23.08.2024.

8. Before parting, I wish to clarify that this Court has not expressed any opinion whatsoever with respect to the merits of said application.

MANOJ JAIN, J

JULY 1, 2024/dr