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

+ **FAO(OS) 93/2024 & C.M.Nos.37438-37439/2024**

MRS MANU BHAGAT @ PURNIMA BHAGAT AND ANR

Through: **Mr.Nitin Dayal with Mr.Manish Aggarwal, Advocates.**Appellants
versus

SH. ASHOK KUMAR MADAN AND OTHERSRespondents

Through: **Mr.Harish Malhotra, Sr.Advocate with Mr.RajenderAgarwal and Mr.Anoop Kumar, Advocate for R-1. Mr.J.P.Singh, Sr.Advocate with Mr.Ms.Pruti Gupta and Ms.Henna George, Advocates for R-2 to 5. Ms.Seema Singh, Advocate for R-6 to 9. Ms.Manika Tripathy with Mr.Naresh K.Saraswat and Mr.Rony John, Advocates for DDA.**

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER
08.07.2024

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1. Present appeal has been filed challenging the impugned orders dated 10th May, 2024 and 17th May, 2024 passed by the learned Single Judge in CS(OS) No.382/2024. The appellants pray for fixing a date of hearing in respect of the appellants-plaintiffs' application bearing I.A. No.10723/2024 filed under Order 39 Rule 1 and 2 of CPC, 1908 seeking *ex-parte ad interim* injunction against the respondents-defendants in respect of the suit property



i.e. plot bearing no. 29, Block No.60 at New Rohtak Road, Karol Bagh, New Delhi-110005 measuring 351.86 sq. yds, till the final disposal of the suit.

2. Learned counsel for the appellants states that the impugned orders are non-speaking and have been passed without application of judicial mind, thus rendering them illegal. He states that this Court should fix a date of hearing of the application filed by the appellants-plaintiffs immediately as soon as replies to the application are filed by the parties.

3. Learned senior counsel for respondent no.1 states that he has filed the written statement as well as the reply to I.A.No.10723/2024. Learned senior counsel for respondent nos.2 to 5 states that he has filed the written statement, which should be read as a reply to I.A.No.10723/2024 also.

4. Keeping in view the aforesaid, this Court directs the appellants-plaintiffs to file the replication as well as rejoinder affidavits before the next date of hearing. The Joint Registrar is directed to list the matter before the Court immediately for hearing and disposal of I.A.No.10723/2024.

5. With the aforesaid directions, present appeal along with the applications stand disposed of.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

JULY 8, 2024

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