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

+ **EX.P. 73/2024 & I.A. 1292/2024**

SMT INDRA DEVI SHANDILYA AND ORSDecree Holders
Through: **Mr. Bhuvanesh Sehgal, Advocate**

versus

LATE SH RAMESH CHAND SHARMA AND ORS

.....Judgement Debtors
Through: **Ms. Shalini Kapoor, Ms. Divyanshi Saxena and Mr. Udit, Advocates**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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20.08.2024

1. This execution petition has been filed by the legal heirs of late Sh. Mahesh Chand Sharma. The said legal heirs are arrayed as Judgement Debtor No. 2 (i) to (iii) collectively. Learned counsel, who has filed this execution petition, states that it has been filed on the instructions of the Judgement Debtor No. 2. He states that the present execution petition arises out of the common decree passed in CS(OS) 714/2003.

1.1. He states that the decree, which is subject matter of the execution is also common to execution petition EX.P. No. 74/2024 listed today. He states that the said execution petition arises out of the common decree passed in CS(OS) 2113/2001.

1.2. He states that a common decree was passed in CS(OS) Nos. 2113/2001 and CS(OS) 714/2003.

2. Learned counsel for legal heirs of late Sh. Ramesh Chand Sharma,



who are arrayed as Judgment Debtor No. 1 (a) to (e) has entered appearance on advance notice.

3. Both, learned counsel for the legal heirs of late Sh. Mahesh Chand Sharma and learned counsel for legal heirs of late Sh. Ramesh Chand Sharma agree that the reliefs sought in both these execution petitions are a duplication and therefore, the present petition be disposed of and the proceedings be initiated in EX.P. No. 74/2024.

4. The statement of learned counsels is taken on record and they are bound down to the same. Without prejudice to the rights of the parties, this execution petition is disposed of in view of the filing of EX.P. No. 74/2024, which seeks identical relief qua the same immovable property. It is directed that the common decree dated 31.07.2012 and 07.08.2013 will be executed in EX.P. No. 74/2024.

5. The pending applications stand disposed of.

MANMEET PRITAM SINGH ARORA, J
AUGUST 20, 2024/rhc/AKT