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

+ **CM(M) 4123/2024**

ESBI TRANSMISSIONS PVT. LTD.

.....Petitioner

Through: Mr. Rajiv Nayar, Senior Advocate
with Mr. Sameer Dawar, Ms.
Mitakshna Goyal & Mr. Amit Mishra,
Advocates

versus

MUKESH SHARMA AND ORS

.....Respondents

Through: Appearance not given

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **19.12.2024**

CM APPL. 74628/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

CM(M) 4123/2024 & CM APPL. 74627/2024 (Stay)

1. Petitioner impugns the order dated 09.10.2024, passed by learned District Judge in CS DJ No. 161/2020.
2. Perusal of the trial court order reveals that the court has listed the matter for admission-denial of documents and for framing of issues for 07.01.2025.
3. Learned counsel submits that two suits pertaining to almost same subject matter are pending and have overlapping rights and issues and thus should be tried together for effective adjudication, and in this regard, an



application has already been filed before the trial court under Section 151 CPC on 20.08.2024, but the same has not been adjudicated, and is presently listed for 07.01.2025.

4. During submissions, it has been requested that the trial court be directed to first dispose of the said application before proceeding further to frame issues in the case.

5. Since the two matters are pending before the trial court and an application under Section 151 CPC for tagging and clubbing both the suits is already pending before the trial court, the present petition is disposed of with directions to dispose of the application on the next date before proceeding further into the matter. All rights and contentions of the parties on merits are reserved.

RAVINDER DUDEJA, J.

DECEMBER 19, 2024

RM