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

+ **CS(OS) 2576/2010**

ASHOK BANSAL & OTHERS

..... Plaintiffs

Through: Mr. Vidit Gupta and Mr. Chetan
Singh, Advocates.

versus

M/S RAJENDRA PROPERTIES(DELHI) PVT LTD & OTHERS

..... Defendants

Through: Mr. Yash Singhal, Advocate for D4.
Mr. Sanjiv Bahl, Advocate for D2.
Counsel for D3.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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23.01.2024

I.A. 25263/2023 (under Section 151 CPC filed on behalf of the plaintiffs for revival of the suit) & I.A. 25264/2023 (under Section 151 CPC filed on behalf of the plaintiffs for revival of suit)

1. It is submitted that the suit was decreed vide order dated 23.05.2013 i.e. the suit for ejection was decreed vide Judgment dated 23.05.2013, against RFA(OS) No. 84/2013, titled as “*M/s Rajendra Properties (Delhi) Pvt. Ltd. & Ors. Vs. Sh. Ashok Bansal & Ors.*”, was preferred, which has been dismissed vide order dated 08.08.2023. Pursuant thereto, the plaintiff has also received a possession of the suit premises. Now, the suit only remains for mesne profits. Since the valuation of the suit property is Rs.54,00,000/-, a request is made that this case may be transferred to the District Courts.



2. Further, the suit had been consigned sine die vide order dated 01.09.2022. Since the RFA (OS) No. 84/2013 has been decided, the suit is revived, as prayed. In view of the submissions made, the suit is transferred to the District Courts, New Delhi, Patiala House Courts.
3. It is also further submitted that the execution proceedings are pending before Sh. Satyabrata Panda, ADJ-04, Patiala House Courts, New Delhi.
4. The plaintiff is directed to appear before the learned District and Sessions Judge on 02.02.2024, when the learned District Judge may mark it to any other competent Court for trial.
5. The plaintiff is directed to appear before the learned District and Sessions Judge on 02.02.2024.
6. Learned counsel for the defendant Nos. 2 and 3 have appeared and submitted that after the case was disposed of, the defendants are not in touch and notices may be directed to serve directly to the parties.
7. The applications accordingly stand disposed of.

NEENA BANSAL KRISHNA, J

JANUARY 23, 2024/RS