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

+ **CM(M) 51/2024**

MAHENDER LAL MALHOTRAPetitioner

Through: **Ms. Latika Chaudhary, Advocate**

versus

UMA ARORA & ANR.Respondents

Through: **Mr. Deepak Singh Thakur, Advocate**
for R-1

Ms. Akanksha Kaul, Mr. Akash Saxena, Mr. Aman Sahani, Ms. Rhia & Ms. Ashima Chopra, Advocates for R-2

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **28.01.2025**

CM(M) 51/2024 & CM APPL. 59957/2024 FOR DIRECTIONS

1. This petition has been filed under Article 227 of the Constitution of India, seeking to set aside the orders dated 16.08.2023, 25.09.2023 & 03.11.2023, passed by the Executing Court in Execution Petition No. 166/2022, titled “Uma Arora Vs. Neetu Malhotra” and for directions to the trial court to dispose of the objections filed by the petitioner under Order 21 Rule 37 & 58 CPC, before passing any order regarding handing over the possession of the property to the Decree Holder.

2. Learned counsel for the petitioner, at the outset, states that the objections filed by the petitioner have since been dismissed in default by the executing court and an application for restoration of the said objections has



also been dismissed.

3. Admittedly, the challenge in the present petition does not survive, inasmuch as, the petition has become infructuous after dismissal of the objections.

4. The petition is therefore dismissed being infructuous.

5. The next date fixed in the matter stands cancelled.

RAVINDER DUDEJA, J.

JANUARY 28, 2025

RM