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

+ **CM(M) 492/2025 & CM APPL. 15253/2025**

SMT. SHARMILA DEVI

.....Petitioner

Through: Mr. N. S. Dalal with Ms. Nidhi Dalal,
Mr. Alok Kumar, Ms. Rachana Dalal,
Advocates.

versus

HUKUM SINGH THROUGH HIS LEGAL HEIRS AND ANR

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

12.03.2025

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CM APPL. 15254/2025

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

CM(M) 492/2025

By way of the present petition filed under Article 227 of the Constitution of India, the petitioner seeks expeditious and time bound disposal of R.C.A. No. 12/2019 titled '*Sharmila Devi vs. Hukum Singh*' pending before the learned Additional District Judge, Rohini Courts, Delhi.

2. Mr. N. S. Dalal learned counsel appearing on behalf of the petitioner submits, that by way of the said appeal, the petitioner had impugned order dated 31.10.2018 whereby the learned Civil Judge, Rohini Courts, Delhi had dismissed an application filed by the petitioner under



Order XXXIX Rule 2A of the Code of Civil Procedure, 1908. It is submitted that the appeal filed in 2019 before the learned Civil Judge has been pending, despite lapse of about 06 years.

3. Mr. Dalal submits that *vide* order dated 21.01.2025, the learned Civil Judge has proceeded *ex-parte* against the legal representatives of the deceased respondent and has placed the appeal for arguments on 27.03.2025. However, Mr. Dalal states that it is his apprehension that the matter may not be taken-up on that day as well.
4. Although there is no basis to the petitioner's apprehension that the matter may not be taken-up for hearing on 27.03.2025, the record does show that the appeal before the learned District Judge has been pending for the last 06 years.
5. In view of the prayer made, it is not considered necessary to issue formal notice on this petition since the respondent cannot possibly oppose the expeditious disposal of the appeal pending before the learned Civil Judge.
6. Accordingly, the petition is disposed-of with a request to the learned District Judge to take up the appeal at the earliest and to dispose-of the same, in accordance with law.
7. Pending applications, if any, also stand disposed-of.

ANUP JAIRAM BHAMBHANI, J

MARCH 12, 2025

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