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

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TR.P.(C.) 84/2025 & CM APPL. 31022/2025

MANBIR SINGH OBEROI

.....Petitioner

Through: Ms. Aastha Dhawan, Ms. Shaini
Bhardwaj and Mr. Aditya Sharma,
Advocates.

versus

MADANJIT SINGH OBEROI & ORS.

.....Respondents

Through: Ms. Manika Agnihotri and Mr.
Amer Vaid, Advocate for R-1.

AND

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+ TR.P.(C.) 85/2025 & CM APPL. 31040/2025

MANBIR SINGH OBEROI

.....Petitioner

Through: Ms. Aastha Dhawan, Ms. Shaini
Bhardwaj and Mr. Aditya Sharma,
Advocates.

versus

MADANJIT SINGH OBEROI & ORS.

.....Respondents

Through: Ms. Manika Agnihotri and Mr.
Amer Vaid, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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21.08.2025

1. Though no notice has been issued in the present petitions, learned counsel for respondent no.1 appears today after receipt of the advance copy thereof.

2. At the outset, learned counsel for respondent no.1 submits that the pleadings made by the petitioner in the present petitions fails to disclose



the factum of filing of two separate applications under *Order VII rule 11* read with *Section 151* of the Code of Civil Procedure, 1908, (CPC) filed by the respondents, which is a *prima facie* attempt to conceal material facts, more so, since the said concealment goes to the root of the matters and the transfer *per se* ought not to take place without prior adjudication of the said applications.

3. Learned counsel for the petitioner, on the other hand, submits that *admittedly* though the said applications have been filed by respondent no.1 in *Manbir Singh Oberoi vs. The State GNCTD & Ors. (Probate Case No.1/2022)* and *Manbir Singh Oberoi vs. Madanjit Singh Oberoi (CS SCJ No.175/2023)*, however, since the petitioner is only seeking transfer of the aforesaid petitions to consolidate them with the case titled *Madanjit Singh Oberoi Vs. Govt. of State of NCT Delhi & Ors. (Test Case No.87/2024)*, there was no requirement of mentioning about the pendency of either of the two applications under *Order VII rule 11* of the CPC filed by respondent no.1 in *Manbir Singh Oberoi vs. The State GNCTD & Ors. (Probate Case No.1/2022)* and *Manbir Singh Oberoi vs. Madanjit Singh Oberoi (CS SCJ No.175/2023)*.

4. In view of the aforesaid, learned counsel for the petitioner seeks leave to withdraw the present petitions with liberty to file fresh petitions so as to include material particulars *qua* the pendency of the two applications under *Order VII rule 11* of the CPC as mentioned above.

5. As such, both the present petitions are dismissed as withdrawn with liberty as prayed for.

AUGUST 21, 2025/NA

SAURABH BANERJEE, J