



2025:DHC:6338



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

% ***Date of Decision: 29th July, 2025***

+ **CM(M) 1384/2025 & CM APPL. 45493-45494/2025**

SHRI AKASH MALHOTRA

.....Petitioner

Through: Mr. M.G. Vacher and Mr. Harsh
Vardhan, Advocates.

versus

SANGEETA MAHAJAN & ORS.

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is plaintiff before the learned Trial Court and has filed a suit for specific performance.
2. Along with the abovesaid suit, he filed an application under Order XXXIX Rule 1 and 2 read with Section 151 CPC seeking injunction against the defendants.
3. It is submitted that if the defendants are not restrained from dealing with the suit property and, consequently, create third party interest with respect to any portion of the suit property, the suit in question would rather become infructuous.
4. The abovesaid suit was filed in the year 2023.
5. The defendants are already, reportedly, served and are participating in the above suit.
6. The petitioner has also moved an application under Order I Rule 10 CPC which is, however, pending adjudication.



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7. The next date before the learned Trial Court is stated to be 27.08.2025.
8. Since all the order-sheets have not been placed on record, it will not be possible for this Court to assess the reason behind delay in disposal of such injunction application and, therefore, the present petition is disposed of with direction to the petitioner/plaintiff to move appropriate application before the learned Trial Court seeking expeditious disposal of his injunction application.
9. It is expected that, as and when any such application is moved, the learned Trial Court would consider the urgency cited by the plaintiff/petitioner and would proceed further with the abovesaid application in accordance with law.
10. The present petition is disposed of in aforesaid terms.
11. Pending applications also stand disposed of.
12. All rights and contentions of the parties are reserved.
13. A copy of this Order be given *dasti* under the signatures of Court Master.

(MANOJ JAIN)
JUDGE

JULY 29, 2025/ss/pb