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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 224/2025 & CM APPL. 49915-49916/2025**
SATISH KUMAR & ORS.Appellants

Through: Mr. Abhishek Kaushik and Mr. Aditya
Kaushik, Advocates

versus

SHRAWAN & ORS.Respondents

Through: Mr. Harinder Kaur Brar, Mr. Devesh
Mishra and Mr. Nitish Kumar,
Advocates for R-5
Ms. Tajinder Viridi, Standing Counsel
for R-6/MCD

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
13.08.2025

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1. Appellants are plaintiffs before the learned Trial Court and are aggrieved by order dated 13.06.2025 whereby the learned Trial Court has denied *ex parte* injunction.
2. Learned counsel for respondent no. 5 and learned counsel for respondent no. 6 appear on advance notice.
3. The concerned defendants have already put in appearance before the learned District Judge and next date before the learned Trial Court is stated to be 11.09.2025.
4. After hearing arguments for some time, learned counsel for appellants, without prejudice to their rights and contentions, does not press the present appeal. He, however, seeks direction to the learned Trial Court to dispose of their application moved under Order XXXIX Rules 1 & 2 CPC, as



expeditiously as possible and without being influenced by the order which is impugned herein.

5. Learned counsel for respondent no. 5 also submits that MCD has already taken some action with respect to the construction being raised over the property in question and she would take appropriate steps and judicial remedy to protect her such construction.

6. Be that as it may, in view of the aforesaid statement made by the learned counsel for the appellants, the present appeal is disposed of as not pressed.

7. All rights and contentions of the parties are reserved.

8. Learned Trial Court is, however, requested to decide the aforesaid application moved under Order XXXIX Rules 1 & 2 CPC, as expeditiously as possible. All the sides would render due assistance and co-operation to learned Trial Court in order to achieve the aforesaid expeditious disposal of the said application.

9. It is, however, made clear that this Court has not made any observation either way with respect to the merits of the aforesaid application.

10. Appeal stands disposed of in aforesaid terms.

11. Pending applications also stand disposed of in aforesaid terms.

MANOJ JAIN, J

AUGUST 13, 2025/dr/shs