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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **EX.F.A. 51/2025, CM APPL. 67340/2025, CM APPL. 67341/2025**

SHRI RAM KISHAN

.....Appellant

Through: Mr. Sultan, Adv.
versus

SHRI MAHESH KUMAR VERMA & ORS.

.....Respondents

Through: Dr. B. Ramaswamy, CGSC with
Ms. Ritu Bhardwaj, GP for R-2, 3
and 4

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

30.10.2025

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1. By virtue of the present appeal, the appellant seeks setting aside of the order dated 04.10.2025 (*impugned order*) passed by the learned District Judge, East District, Karkardooma Courts, Delhi (*learned Executing Court*) in Ex.DJ No.216/2022 titled '*Mahesh Kumar v. Commissioner of Police & Ors*'.

2. During the course of arguments, learned counsel for the appellant has primarily laid stress on the following documents filed along with the present appeal:

- i. Khasra Girdawari of relevant Khasra numbers (Annexure-5)
- ii. Application filed by Sri Chand on 26.11.1990 (Annexure-6)
- iii. Demarcation reports dated 02.12.1990 and 23.12.1990 with aks-shaijra/ site plan prepared at the time of demarcation report. (Annexure-7)
- iv. Order dated 04.09.1985 passed by Hon'ble Supreme Court in S.L.P (C) No.9381/1985. (Annexure-8)



3. Learned counsel further submits that since the aforesaid documents were the lifeline of the contentions of the appellant, they were filed duly filed alongwith the objections before the learned Executing Court, and substantial arguments were addressed *qua* them, however, inadvertently the same have not been considered or dealt with by the learned Executing Court in the impugned order.

4. It is his case that the aforesaid documents have not been considered by the learned Executing Court.

5. Since there is nothing as such evident from the impugned order, for the sake of clarity after some arguments, learned counsel seeks to withdraw the present appeal with liberty to file a petition seeking review of the impugned order before the learned Executing Court *qua* the aforesaid facts pleaded by him in the present appeal within a period of two weeks.

6. Accordingly, the present appeal, alongwith the pending application(s), is disposed of with liberty as sought for.

7. Learned Executing Court is requested to hear the appellant afresh on the abovesaid issues taken by the appellant in the aforesaid review petition and make all efforts to dispose of the same by a speaking order after taking into consideration the aforesaid documents as expeditiously as possible, preferably within a period of two months.

8. Needless to say, till then, the learned Executing Court is requested not to proceed with the steps in furtherance of the impugned order.

SAURABH BANERJEE, J

OCTOBER 30, 2025/Ab