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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 244/2022, CM APPLs 41314/2022, 22155-56/2024,**
29508/2024, 4271/2026
SUNIL KUMAR DAWARAppellant
Through: Mr. Mayank Dawar, Advocate.

versus

RAJENDER PAL DAWAR & ORS.Respondents
Through: Mr. Anil Sharma and Mr. Arpit
Sharma, Advocate for respondent
no.1.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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03.02.2026

1. By way of the present appeal, the appellant seeks to assail the order dated 23.08.2022 passed by learned ADJ (05), South East District, Saket Courts, New Delhi, whereby the application filed by the appellant under Order 39 Rule 1 and 2 CPC was dismissed.
2. Learned counsel appearing for the appellant states that the present appeal has been necessitated on account of the impugned order vide which the learned Trial Court has dismissed his application seeking temporary injunction. He submits that the crux of the averments of the appellant is that the Family Settlement entered into between the parties on 10.06.1996 has not yet been acted upon. He further states that defendant no.1/respondent no.1, in the other proceedings, has denied the existence of the said family settlement.
3. Today, learned counsel appearing for defendant no.1/respondent no.1 states, upon instructions, from the answering defendant no.1 that he honours



the Family Settlement and has no difficulty in case a preliminary decree of partition on the aforesaid basis is passed by the learned Trial Court, subject to consent of other parties.

4. In view of the aforesaid position, the present appeal is disposed of, along with pending applications, with liberty to the parties to make the prayer before the concerned Trial Court.

5. The already scheduled date of 01.04.2026 before the Joint Registrar stands cancelled.

MANOJ KUMAR OHRI, J

FEBRUARY 3, 2026/rd