

17 CS 1749/16

PRATIBHA SHARMA VS. INDU SHEKHAR

14.11.2025

Present: Plaintiff in person.
Sh. Arshi Arora, proxy counsel for defendant no. 1.
Defendant no. 1 through VC.
Sh. Gagan Kumar Singhal, Id. Counsel for defendant no. 2 with
defendant no. 2.

An application filed by defendant no. 1 under Section 151 CPC for setting aside Order dated 12.07.2025 is pending for disposal. Three applications i.e. 1. u/o XXXIX Rule 2A CPC, 2. application u/s. 94 CPC for striking out of defence of defendant no.1 and 3. u/s. 151 CPC seeking directions to RBI are also pending for disposal.

Counsel for the defendant no. 2 submits that he is not pressing his application u/s. 151 CPC and same may be disposed off as not pressed.

In view of the above, **instant application stands disposed off as not pressed.**

The defendant no. 1 has received copy of application of defendant no. 2 u/s. 94 CPC from court record. *Reply, if any, to the said application be filed within 04 weeks with advance copy to the other side.*

Counsel for the defendant no. 2 presses upon his application u/o XXXIX Rule 2A CPC.

Arguments heard on the above application as addressed by Id. Counsel for defendant no. 2.

Defendant no. 1 submits that his arguing counsel is not available today. Defendant no. 1 further seeks permission to submit some relevant facts. He insists that his submissions may be recorded. He submits that defendant no. 2 is in touch with subsequent purchaser Sh. Jai Bhagwan for the last more than 12 years through telephonic conversation. He further submits that he had informed the subsequent purchaser that there is a stay order on the suit property and the same was also informed by the defendant no. 2 to the subsequent purchaser Sh. Jai Bhagwan. He further submits that subsequent purchaser told him that stay is only effective for 06 months and therefore, there is no impediment in the registration of sale deed in favour of subsequent purchasers. He further submits that believing the assurance of Sh. Jai Bhagwan, he sold the suit property to the subsequent purchasers on the strength of Will executed by his mother in his favour.

Put up for arguments on behalf of Defendant no. 1 on the above application under Order 39 Rule 2A CPC of D-2 as well as arguments on the other pending applications on **22.12.2025**.

(Mohammad Ehtesham)
DJ – 03, Shahdara District,
Karkardooma Courts, Delhi
14.11.2025