

24.03.2026

Fresh appeal is received by way of assignment. It be checked and registered.

Present: Ms. Muskan Khanna, Ld. Counsel for appellant along with appellant.

Present appeal is also accompanied by an application under Section 151 CPC for stay on preliminary decree passed vide impugned order dated 15.05.2025, application u/s 151 CPC for stay on execution bearing no. 1765/2025, application u/s 151 CPC for exemption from filing certified copy of subsequent impugned review order dated 09.02.2026 and an application u/s 5 of Limitation Act for condonation of delay in preferring the present appeal.

Heard. Record Perused.

Ld. Counsel for appellant, inter-alia, submits that the suit of the plaintiff is bad for non joinder of the parties. As per Ld. Counsel for appellant, after dismissal of his application under Order 7 Rule 11 CPC, he had approached the Hon'ble High Court and the Hon'ble High Court although dismissed his appeal but, inter-alia, had observed in order of dismissal dated 18.02.2026 that the plea regarding non joinder of parties can be decided only on merits of the case after the evidence has been led in the case.

Let notice of the present appeal, application u/s 5 of Limitation Act for condonation of delay and applications u/s 151 CPC be issued to respondents on filing of PF/RC.

The operation of the impugned judgment/decreed dated 15.05.2025 and consequent execution bearing no. 1765/2025 is stayed till the final disposal of the present appeal.

Let TCR be summoned for the next date of hearing.

The matter be listed for 13.05.2026.

Order be given dasti.

(CHANDER MOHAN)
District Judge-14, LAC,
Central, THC, Delhi/24.03.2026