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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CM(M) 51/2023**

M S GOOD LUCK AUTO INDUSTRIES Petitioner

Through: **Mr.Aditya Kr. Chaudhary with
Gurmehar Vaan Singh, Adv.**

versus

SH RAJIV BAJAJ

..... Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

24.01.2023

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[The proceeding has been conducted through Hybrid mode]

At 2.30 PM.

1. Mr.Aditya Kr. Chaudhary, learned counsel for the petitioner in CM(M) 51/2023 has mentioned the matter, which was listed yesterday and notice was issued for 04.08.2023.
2. Learned counsel submits that the petitioner was not aware of the proceedings before the learned Executing Court of 06.01.2023 whereby the learned Executing Court had directed the bailiff to remove all hurdles obstructing the implementation of warrants of possession.
3. The learned Executing Court had also directed the concerned SHO to provide police assistance to the bailiff. The order of learned Executing Court was passed in respect of the Shop No. 3081, Ram Bazar, Mori Gate, Delhi, which is the subject matter of the present petition pending before this Court.
4. Learned counsel submits that they were not aware of the aforesaid order passed by the learned Executing Court and seeks urgent directions in



the absence whereof, CM (M) 51 of 2023 would become infructuous.

5. In view of the submissions made by learned counsel for the petitioner, since notice has already been issued on 23.01.2023, it would sub-serve the interest of justice and in the interregnum to direct the learned Trial Court to not take any coercive steps in compliance of order dated 06.01.2023 passed by the learned Executing Court, till the next date of hearing.

6. The aforesaid direction is without prejudice to the rights and contentions of the respondent, who may, if required and advised move an appropriate application before this Court for any modification or variation of the above directions, which may be considered on its own merits.

7. A copy of this order be given *dasti* under the signature of the Court Master.

TUSHAR RAO GEDELA, J.

JANUARY 24, 2023
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