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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 172/2021 & CC 8/2021, CRL.M.A. 12492/2021, I.A.
4195/2021, I.A. 9926/2021
RAJINDER SINGH BHATIAPlaintiff

Through: Mr. Abhishek Aggarwal, Adv.

versus

MANJU BHATIADefendant
Through: Mr. Divya Prakash Pande, SC for
MCD with Ms. Sakshi Popli, Adv.

CORAM:
HON'BLE MR. JUSTICE VIKAS MAHAJAN

% **ORDER**
18.07.2024

I.A. 31192/2024 (under Section 151 CPC by plaintiff)

1. This is an application seeking direction for listing of I.A. 9927/2021 under Order XII Rule 6 CPC filed by the plaintiff.
2. The learned counsel for the plaintiff submits that the I.A. 9927/2021 was considered by this Court and was dismissed *vide* order dated 10.02.2023. However, on an appeal (i.e. FAO (OS) 37/2023) being preferred by the plaintiff, the aforesaid order dated 10.02.2023 was set aside by the Hon'ble Division Bench *vide* judgment dated 21.02.2024 and the I.A. 9927/2021 was restored to its original number.
3. He submits that pursuant to the said judgment, the I.A. 9927/2021 has not been listed for consideration. Accordingly, a prayer is made for direction



to the Registry to list the I.A. 9927/2021.

4. In view of the submissions made by the learned counsel, the present application deserves to be allowed. Ordered accordingly.

5. Consequently, the Registry is directed to list the I.A. 9927/2021 under Order 12 Rule 6 CPC for consideration on 22.08.2024.

I.A. 5850/2024 (under Order VII Rule 11 read with Section 151 CPC by plaintiff seeking rejection of counter-claim filed by the defendant in the present suit)

6. None appears for the defendant when the matter is called out.

7. In the interest of justice, adverse orders are deferred.

8. List on 22.08.2024.

VIKAS MAHAJAN, J

JULY 18, 2024/dss