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

+ RFA 445/2019

SHIV NATH @ SURYANATH

..... Appellant

Through Mr.Uday Vir Singh with Mr.Raj
Kumar, Advs.

versus

NEERAJ

..... Respondent

Through None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **09.07.2019**

CM No.22319/2019 (for exemption)

Exemption allowed, subject to all just exceptions.

C.M.No.22320/2019 (for condonation of delay)

For the reasons stated in the application, the same is allowed
and the delay of 60 days in re-filing is condoned.

The application stands disposed of.

RFA 445/2019 & CM No.22318/2019 (for stay)

Learned counsel for the appellant submits that the learned Trial Court, while rejecting his suit for partition and injunction, has relied on the respondent's false plea that the suit property had been purchased by him exclusively from his own funds in 1992/1995 and the appellant shifted to Delhi only in 2012. He submits that the said plea was falsified from a bare perusal of the ration card placed on record by the appellant, which clearly shows that he was residing in the suit premises at least from 06.01.2006.



Issue notice to the respondent through ordinary process and speed post returnable on 02.09.2019.

Till the next date, the parties will maintain status quo *qua* the possession and title of the suit property.

JULY 09, 2019
sr

REKHA PALLI, J