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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 781/2019, CM APPL.No. 23944-23946/2019
RAM AVTAR JAIN

..... Petitioner

Through : Mr.Mukesh Gupta with Mr.Rakshit
Pandey, Advs.

versus

MANDEEP SINGH & ANR

..... Respondent

Through : None

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER
% **17.05.2019**

The facts as alleged by learned counsel for the petitioner are the subject property bearing khasra No.43/2, ad-measuring 200 sy.yds in Revenue Estate of Village Palam, Delhi was initially owned by Daulat Ram who executed a registered Will in favour of his daughter namely Bimla Devi, who then executed a sale deed in favour of defendant No.2/petitioner.

It is alleged one Praveen Kumar filed a suit against the petitioner herein on the basis of an Agreement to Sell entered by him with one Sushil Kumar who allegedly claim to be an adopted son of Late Daulat Ram. In the meanwhile Bimla Devi filed a suit for Declaration against said Sushil Kumar that he was never adopted by Daulat Ram. A decree was passed in the said declaration suit and Sushil Kumar was declared not to be an adopted son of late Daulat

Ram. On this basis, the suit filed by Praveen Kumar was dismissed. Later, this respondent namely Mandeep Singh filed yet another suit for injunction against the petitioner herein on the basis of yet another agreement to sell, allegedly executed by one Mobina Begum wife of Mohd. Illias who also claim right in the property through some agreement purportedly executed by the said Sushil Kumar. An application filed by petitioner in this suit under Order 7 Rule 11 CPC is dismissed by the impugned order.

In the circumstances, issue notice to the respondents by all modes returnable on 10.10.2019 and in the meanwhile proceedings before the learned trial court shall remain stayed.

Order dasti.

YOGESH KHANNA, J.

MAY 17, 2019

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