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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CM(M) 880/2025

SATBIR SINGH

.....Petitioner

Through: Mr. Sourabh Gupta with Mr. Puneet
Yadav, Mr. Vasu Dev and Ms. Priya
Mittal, Advocates.

versus

SUBHASH SINGH (DECEASED) THR LRS & ORS.Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

09.05.2025

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CM APPL.28303/2025 (exemption)

Exemption allowed subject to all just exceptions.

CM(M) 880/2025 & CM APPL. 28302/2025 (stay)

1. Petitioner is plaintiff before the learned Trial Court.
2. After hearing arguments in part, the learned Trial Court has, *suo moto*, framed one additional issue to the following effect:-

“Whether the suit filed by the plaintiff on the basis of agreement to sell dated 13.05.2002 without seeking the relief of specific performance is maintainable in the eyes of law?”

3. Petitioner/plaintiff has taken exception to the abovesaid framing of issue.
4. It is informed that even though the additional issue had been framed by the learned Trial Court *suo moto*, when, in order to have proper decision and findings with respect to the abovesaid issue, the



plaintiff moved an application seeking permission to lead evidence, such opportunity has been denied. Reference in this regard is made to order dated 30.04.2025.

5. Let copy of such order be also e-filed.
6. Issue notice to respondents through all permissible modes including *dasti*, returnable on 11.09.2025. Notice also be issued through counsel.
7. In the meanwhile, learned Trial Court is requested to defer the hearing of final arguments.
8. Copy of the order be given *dasti* under signatures of Court Master.

MANOJ JAIN, J

MAY 9, 2025
st/pb