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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 461/2022 I.A. 12472/2022 I.A. 3779/2023 I.A. 5797/2023
I.A. 36006/2024
M/S RENU PROPCON PVT. LTD. Plaintiff

Through: Ms. Akanksha Kaul, Mr. Harsh Sethi,
Mr. Anant Nigam, Mr. Raghav
Luthra, Advocates.

versus

MRS. MANJU BHATTACHARYA & ORS. Defendant
Through: Mr. Deepak Verma, Mr. Chaitanya
Sharma, Mr. Abheesht Sharma, Mr.
Shiv Mangal Sharma, Advocates for
D-1 & 2.
Mr. Ajit Singh Johar, Mr. Anubhav
Gupta, Ms. Snigdha Rajpal,
Advocates along with D-4 in person.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
24.01.2025

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**CCP(O) 12/2023 (Application under Article 215 of the Constitution of India
r/w Section 12 of the Contempt of Courts Act, 1971)**

1. Prior to proceeding ahead with the matter, an issue has been raised by counsel for plaintiff. Orders were passed on 5th August 2022 by this Court, in particular paragraph 32 and 33 which are extracted as under:

“32. In view of the submissions made before me, I deem it appropriate to pass an order that as and when defendants no. 1 to 4 intend to sell their portions of the property, they may seek permission from this Court by filing appropriate



application.

33. Further, this order may not be construed to be interpreted that defendants no. 1 to 4 are barred in any manner from entering into negotiation with any third party with respect to the property in question.”

2. Clearly this Court had given a direction that if there was any intention to sell portions of the property, the defendant Nos.1-4 shall seek permission from the Court, however, they were free to negotiate with a third-party.
3. Defendant No.4, appears today before the Court, along with counsel, after issuance of bailable warrants.
4. Public notice was issued on 23rd January 2023 which has been noticed in the order dated, 24th February 2023, passed by this Court.
5. Defendant No.4 states that they had, indeed, entered into some negotiations, since the same had been permitted by the Court by order dated 5th August 2022 and had no intention to sell the property, without prior permission of the Court.
6. However, he admits to having received Rs. 5 Lacs through cheques from the prospective purchaser and he, in compliance of the orders of this Court, is willing to refund the same, to the buyer whom he was negotiating with.
7. He shall do so within a period of one week. Affidavit of compliance shall be placed on record, as part of the reply to the CCP(O).
8. Counsel for plaintiff states that defendant Nos. 3 & 5 have already sold their portion of the property, through the mediation process. The mediation is pending with respect to defendant No. 1 & 2.
9. Defendant No.4 shall also join the mediation proceedings to explore the possibilities of settlement. Needless to state that mediation process is



without prejudice to rights and contentions of the parties.

10. List on 14th May 2025.

11. In the meantime, as and when the parties achieve a settlement, they will be at liberty to approach the Court with an appropriate application.

12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 24, 2025/ak