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

+ **CS(OS) 461/2022**

M/S RENU PROPCON PVT. LTD.

..... Plaintiff

Through: Mr. Harsh Sethi, Mr. Anant
Nigam, Mr. Nitin Bajaj,
Advocates.

versus

MRS. MANJU BHATTACHARYA & ORS.

..... Defendants

Through: Mr. Neeraj K. Gupta, Mr. Ranjeet
K. Singh, Mr. Shivang Srivastava,
Advocates [9818284346].

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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24.02.2023

CCP(O) 12/2023 & I.A. 3779/2023

1. By way of the present suit, the plaintiff *inter alia* seeks specific performance of an oral agreement to sell dated 22.05.2022, in respect of the property bearing *F-10, Hauz Khas Enclave, New Delhi* [“the suit property”].

2. By way of an *ad interim* order dated 05.08.2022, the Court has directed as follows:

“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.”

3. The plaintiff has filed these applications, having come across a public notice published in the Hindustan Times newspaper on 23.01.2023, on behalf of one Mr. Vinod Singhal, which states that the



defendant Nos. 1 to 4 have entered into an agreement for sale with him in respect of the suit property on 24.08.2022.

4. Issue notice. Mr. Neeraj K. Gupta, learned counsel, accepts notice on behalf of the defendant Nos. 1, 3 and 4.

5. Mr. Gupta states that he will supply the current address and contact details of the defendant No. 2 as available with the said defendants to Mr. Harsh Sethi, learned counsel for the plaintiff within three days. Mr. Sethi may file an amended memo of parties within three days thereafter. Notice of these applications will thereafter issue to defendant No. 2 also.

6. Replies to these applications may be filed within four weeks. Rejoinders thereto, if any, may be filed within one week thereafter.

7. List before the Court on 27.04.2023.

8. The suit will be listed before the learned Joint Registrar on the date fixed i.e. 28.03.2023 for the purposes of completion of service, and for completion of pleadings and marking of exhibits.

9. Mr. Sethi submits that the parties may be referred to mediation to see if a settlement can be worked out amongst the parties. Mr. Gupta has no instructions on this aspect. In the event the parties are agreeable to mediation, they are at liberty to approach Samadhan, the Delhi High Court Mediation and Conciliation Centre, Delhi High Court, Shershah Road, New Delhi-110503 during the pendency of the proceedings to see if an amicable settlement is possible.

PRATEEK JALAN, J

FEBRUARY 24, 2023/‘Bhupi’/