



\$~27

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 460/2021 & CCP(O) 37/2022 & CCP(O) 51/2022 &
CRL.M.A. 20148/2021 & I.A. 14308/2021 & I.A. 15788/2021 & I.A.
4937/2022 & I.A. 8377/2022 & I.A. 9200/2022
SUMAN SAWHNEY & ORS. Plaintiffs

Through: Mr. Rajeev Verma, Advocate
versus

PANKAJ SAWHNEY Defendant

Through: Mr. M. S. Khan and Mr. M. Arshyan,
Advocates for defendant
Ms. Geeta Luthra, Sr. Advocate for
applicants

CORAM:
HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER
05.01.2023

%

I.A. 9262/2022 (Exemption on behalf of defendant)

Exemption allowed subject to just exceptions.

The application stands disposed of.

I.A. 12138/2022 (Exemption on behalf of defendant)

Exemption allowed subject to just exceptions.

The application stands disposed of.

I.A. 12499/2021 (Under Section 151 of the CPC)

Learned counsel appearing on behalf of the plaintiffs does not wish to
press the instant application and seeks leave to withdraw the same.

The application is dismissed as not pressed.

I.A. 16813/2021 (Delay in re-filing under Section 340 of Cr. P. C.)

1. This is an application under Section 151 of Code of Civil Procedure,
1908 filed on behalf of the defendant for condonation of delay in re-filing of



the application under Section 340 of Cr.P.C for the initiation of criminal proceedings against the plaintiffs for making false statements in the plaint.

2. Learned counsel appearing on behalf of plaintiffs has no objection for allowing the instant application.

3. For the reasons stated in the application and no objection on behalf of the plaintiffs, the same is allowed.

4. In view of the above, the application stands disposed of.

CS(OS) 460/2021

1. Learned counsel appearing on behalf of the defendant informed the Court that the interim injunction has been obtained by the plaintiff after concealing certain facts. It is submitted that two civil suits bearing no. 643/2021 titled as Pankaj Sawhney vs. Suman Sawhney and bearing No. 600/2021 titled as Chandra Kanta Sethi vs. Pankaj Sawhney & Ors., are pending before Tis Hazari Court which were filed well before the instant suit and these facts have not been disclosed by the plaintiffs.

2. Learned counsel for the defendant submitted that for proper adjudication of the instant suit, it is appropriate that the aforementioned suits as well as the instant suit may be heard together as the issues in all the suits are similar in nature. Therefore, he prays for two weeks' time to file appropriate application for transferring the aforementioned civil suits pending before Tis Hazari Court to this Court. Let the same be filed within two weeks as prayed.

3. List on 22nd February, 2023.

CHANDRA DHARI SINGH, J

JANUARY 5, 2023/gs/as

Click here to check corrigendum, if any