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

+ RFA 700/2019

ASHWANI KUMAR

..... Appellant

Through: Dr. Suman Chaudhary, Adv.

versus

KARANVIR SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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02.08.2019

CM No.34517/2019 (for exemption)

Exemption allowed, subject to all just exceptions. The application is disposed of.

RFA 700/2019 & CM Nos.34515/2019 (for delay in filing) & 34516/2019 (for stay)

Learned counsel for the appellant submits that the learned Trial Court has, while dismissing the appellant's suit, failed to appreciate that the present suit was filed by the appellant seeking declaration whereas the earlier suit filed by the respondent was only for grant of injunction. The suit filed by the respondent was decreed only to the extent that the respondent will not be dispossessed except in accordance with the due procedure of law. She, therefore, contends that the decree passed in the respondent's suit would not be a bar to the instant suit instituted by the appellant.

Upon the appellant filing process fee, issue notice to the respondent



by ordinary process and speed post, returnable before the concerned Registrar on 30.10.2019.

Till the next date, the parties shall maintain status quo qua title and possession of the property in question.

REKHA PALLI, J

AUGUST 02, 2019
gm