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

+ **CS(OS) 509/2022**

SAHIL MARWAH & ANR.

.....Plaintiffs

Through: Mr. Y. P. Narula, Sr. Advocate with
and Mr. Abhey Narula, Advocates

versus

ONKAR SINGH MARWAH & ORS.

.....Defendants

Through: Mr. M.P. Sahay, Ms. Yaman Verma,
Mr. Kartik Jindal and Ms. Srishti
Malik, Advocates for D-2
Mr. Ujas Kumar, Advocate for D-4

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **23.07.2024**

I.A. 18776/2022 (for directions)

1. This is an application filed by the plaintiff seeking consolidation of the present suit and CS(OS) 574/2022.
2. Learned senior counsel for the plaintiff states that the suit property, which is subject matter of this suit is also a subject matter of CS(OS) 574/2022. He, in facts, states that there is also a TEST. CAS. No. 17/2023 pertaining to the same suit property.
 - 2.1. He states that it would be in the interest of judicial time that the trial in all these three (3) proceedings are heard together, so that common evidence is recorded there is no conflict of judgments.
3. There is no dispute between the parties that the subject property in each of these three (3) proceedings is common and there is a possibility of



conflict of orders if the suits are tried separately.

4. However, considering the fact that all the parties are not common in this suit, the prayer for consolidation is not allowed; however, it is directed that all the three (3) proceedings will be tried together.

5. Accordingly, the Registry is directed to list CS(OS) 509/2022, CS(OS) 574/2022 and TEST. CAS. No. 17/2023 the matters on the same date before Court and the learned Joint Registrar.

6. With the aforesaid directions, the application stands allowed.

CS(OS) 509/2022

7. The plaintiff is directed to file the joint documents schedule within four (4) weeks.

8. The plaintiff states that he has filed certified copy of judicial record vide diary no. 401197/2023 under the index dated 01.03.2023.

9. Learned counsel for defendant no. 1 states that he will file his affidavit of admission/denial of documents within two (2) weeks. It is ordered accordingly.

10. List the matter before the Joint Registrar (J) for filing of the joint documents schedule and marking of exhibits on **13.09.2024**.

11. List the matter before Court for framing of issues on **23.10.2024**

MANMEET PRITAM SINGH ARORA, J

JULY 23, 2024/rhc/sk