



\$~81

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 364/2021 & CM APPL. 36940/2021 (stay)**

SH. YOGESH JAIN

.....Appellant

Through: Ms. Jyoti Nambiar, Advocate.
versus

SH. BHAGWAN SWAROOP

.....Respondent

Through: Mr. R.S. Lathwal, Advocate.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **30.01.2025**

[Physical Hearing/Hybrid Hearing (as per request)]

1. The matter has been listed today in supplementary list at my direction. Learned counsel for both sides have kindly appeared on getting a message from Court Master.
2. While reading the file before dictation of the judgment, it is observed that the property, which is subject matter of the suit for specific performance of agreement to sell, is only one kitchen of a Janta Flat. During final arguments, neither side was called upon to address on this issue, so in order to ensure fair hearing, both sides are granted opportunity to address further arguments as to whether the defendant holds marketable title over the subject property and as to whether only a kitchen, which is part of larger property Janta Flat can be transferred by way of sale.
3. List for further arguments on 27.02.2025.

GIRISH KATHPALIA, J

JANUARY 30, 2025/ry

Click here to check corrigendum, if any