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

+ CS(OS) 446/2020, I.A. 12520/2020, 12522/2020, 2851/2021,
2852/2021, 2880/2021, 2881/2021, 3400/2021 19922/2021 &
4560/2022

VIPIN KUMAR MANAKTALA Plaintiff

Through: Mr. Ashish Dholakia, Sr. Adv. with
Mr. Ritesh Kumar Chowdhary, Mr.
Sumit Kumar and Mr. Rohan Chawla,
Advs.

versus

SHRI VINOD KUMAR SHRI VINOD KUMAR
& ORS. Defendants

Through: Mr. B.K. Sood and Mr. Harish Gaur,
Advs. for LR's of D1 and D2, D3 and
D7.
Mr. Harish Malhotra, Sr. Adv. with
Mr. Rajender Aggarwal and Mr.
Anoop Kumar, Adv. for D4.
Mr. Ashok Chhabra, Adv. for D5(a)
to D5(c)

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **20.07.2022**

1. List the applications for hearing on the date fixed.
2. Mr. Sood learned counsel appearing for defendant Nos. 1 to 3 & 7 and Mr. Chhabra, learned counsel appearing for defendant nos. 5(a) to 5(c) have raised an issue of maintainability of the suit.



3. In effect, Mr. Sood and Mr. Chhabra states, the suit lay a challenge to the decree passed in CS(OS) No. 2850/1987 based on a settlement agreement and as such, the plaintiff has to approach the Court which passed the decree.

3. Mr. Chhabra has relied upon the Judgments of the Supreme Court and this Court being ***Triloki Nath Singh v. Anirudh Singh (Dead) Through legal representatives and Ors., (2020) 6 SCC 629*** and ***Vinay Chhabra v. Judge Chawla and Ors. 2019 (2) Rajdhani Law Reporter 246.***

4. Mr. Ashish Dholakia, learned Sr. Counsel appearing for the plaintiff seeks some time to address the arguments on the objections taken by Mr. Sood and Mr. Chhabra.

5. Re-notify on August 23, 2022.

V. KAMESWAR RAO, J

JULY 20, 2022/jg