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

+ **CS(OS) 557/2023 & I.A. 3091/2024**

PREM KUMARI BATRA (THROUGH SPA HOLDER).....Plaintiff

Through: Mr. Rahul Dhamija, Advocate

versus

DEWAN SINGH BISHT & ORS.

.....Defendants

**Through: Mr. Akshay Chandra and Mr. Vikas
Sharma, Advocates along with Mr. D.
S. Bisht, defendant no. 1**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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09.04.2025

**I.A. 3091/2024 (Application has been filed under Order VII Rule 11(a) &
(d) read with Section 151 of CPC)**

1. Learned counsel for the defendant states that plaintiff has deposited Rs. 1 lakh for allotment in the society. He states that no allotment could be made due to reasons set out in the pleadings. He states that the claim for damages of Rs. 2 crores in the suit on account of the non-allotment is not maintainable on merits and on account of jurisdictional bar.

2. He states on instructions from defendant no. 1, that without prejudice to the pleas raised in the application, the defendants will deposit the amount due and payable to the plaintiff, which is equal to the amount paid/offer to other 800 members towards reimbursement from the funds received from the Greater Noida Authority within four (4) weeks.

It is ordered accordingly. The deposit shall be made by the defendants



without prejudice to their rights and the contentions of the plaintiff. The amount deposited shall be placed in an FDR.

3. He states that a computation of the amount being deposited will also be filed, at the time of deposit.

4. The defendant is directed to produce the minutes of meeting before this Court on the next date of hearing as directed vide order dated 28.01.2025.

5. List on **03.07.2025**.

MANMEET PRITAM SINGH ARORA, J

APRIL 9, 2025/rhc/ms