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

+ **RFA 394/2021 & CM APPL. 42157/2021**

RAAJEEV SHHARMA Appellant

Through: Appellant-in-person.

versus

RITA SHARMA@ USHA KAUSHAL

SHARMA & ANR. Respondents

Through: Mr. Devendra Kejariwal,
Advocate with R-2-in-person.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **24.02.2023**

CM APPL. 40534/2022 (Stay)

1. Present application has been preferred by the Appellant seeking the following reliefs:-

“a. Hon’ble courts be pleased to stay the operations of the Impugned Final Order Dated : 12.04.2021 passed by the Ld. Courts of Shri. Jay Thareja, ADJ-07, South East district, Saket Courts, Delhi IN CS DJ Nos. 209664/2016 during the pendency of the present appeal; and/or;

b. Direct maintaining of status quo with respect to suit property during the pendency of present appeal; and/or

c. Any further/More orders as this Learned Court may deem fit in light of case, be also granted favoring Petitioner and against respondents & others.”

2. It is not denied by the Appellant that he has already been dispossessed from the suit property and therefore, the prayer seeking maintenance of *status quo* cannot be granted, at this stage.

3. I may also refer to an order dated 03.08.2022 passed by the predecessor Bench of this Court, which reads as follows:-

“CM APPL. 33863/2022 -Int. Dir.

1. This is an application filed by the petitioner alleging violation by the respondents of the interim order passed in the present appeal.



2. *A perusal of the records shows that no interim order was passed in the present appeal either on 26.11.2021 when notice was issued or on 10.02.2022. However, it appears that the order dated 19.07.2022 inadvertently records- 'interim orders to continue'.*
3. *Once there is no interim order in favour of the appellant, the present application is not maintainable and is, accordingly dismissed with a clarification that no interim order has been passed in the appeal.*
4. Let reply be filed within two weeks from today.
5. List for hearing on 28.04.2023.

JYOTI SINGH, J

FEBRUARY 24, 2023/rk