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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 62/2022**

SMT RAM RATI AND ANOTHER Appellants

Through: Mr. Udyan Srivastava, Advocate.

versus

SMT SUBHAGYA BAHL AND OTHERS Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **22.02.2022**

1. The hearing has been conducted through Video Conferencing.

CM APPL No.9481/2022

2. Exemption allowed, subject to all just exceptions.

3. The application stands disposed of.

RFA 62/2022, CM APPL. 9479-80/2022

4. This appeal is filed against the impugned judgment and decree dated 14.06.2021 passed by the learned Trial Court in CS No.570/2019 whereby the suit of the appellants was dismissed.

5. The learned counsel for the appellants alleges in the year 1982, land B was purchased by deceased Rattan Singh along with others from late Hari Singh and accordingly Rattan Singh had undivided share in the ancestral land A and also undivided share in Land B, which share was less than 8 standard acres.

6. It is alleged in the year 2006, Rattan Singh executed a memorandum of family settlement between his legal heirs and it was acted upon. On 27.06.2007 Ratan Singh had allegedly executed an agreement to sell in respect of his undivided land holding and sale deed 26.02.2009 was executed in respect of a portion of his undivided share and he was left



with less than 8 standard acres. On 27.02.2012 CS No.477/2012 was filed by Hardwari Lal – brother of Rattan Singh for declaration and cancellation of the sale deed dated 26.02.2009 as null and void. Similarly, CS No.539/2012 was filed by the appellant for cancellation of the same sale deed. Status quo was confirmed in both the suits and issues were framed on 13.05.2012. Later both the suits were transferred to the learned District and Sessions Judge in the year 2016. Both the suits were consolidated in the year 2021 on the application of the appellants. Vide the impugned judgment dated 14.06.2021 both the aforesaid suits were dismissed by learned Trial Court.

7. In the circumstances, issue notice to respondents through all modes including email and whatsapp returnable before the learned Registrar on 03.08.2022.

YOGESH KHANNA, J.

FEBRUARY 22, 2022

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