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

+ RFA 379/2021, CM APPL. 40219/2021, CM APPL. 44116/2023
CM APPL. 55026/2024

MAHESH CHANDER AHUJAAppellant

Through: Mr. Hemant Kakkar, Advocate.

versus

SH. TILAK RAJ AHUJARespondent

Through: Mr. Atul Bandhu, Mr. Varun Kumar
and Mr. Karan Ahuja, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

17.04.2025

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Mr. Hemant Kakkar, learned counsel appearing on behalf of the appellant submits, that Mr. S.K. Dubey, learned senior counsel who is to argue the matter is pre-occupied before the Supreme Court today. Counsel accordingly seeks deferment of further proceedings in the matter.

2. Learned counsel appearing for the respondent points-out, that as recorded in para 2 of order dated 15.07.2022, the appellant had expressed a no-objection to dividing the assets of the partnership firm M/s National Iron Store, which was reiterated in order dated 12.12.2022. In these circumstances, the challenge to the impugned preliminary decree dated 24.08.2021 would be rendered infructuous, since that is what the said decree had directed.



3. Upon being queried, Mr. Kakkar is unable to explain as to why the appellant has not put into effect what was recorded in orders dated 15.07.2022 and 12.12.2022.
4. In the circumstances, the appellant is directed to file a list of assets of the partnership firm M/s National Iron Store, as of the date of filing of the suit before the next date; with copy to the opposing counsel.
5. For considering the aforesaid aspect, re-notify on 29th April 2025 in the 'Supplementary List'.

ANUP JAIRAM BHAMBHANI, J

APRIL 17, 2025/ak