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

+ RFA 718/2025

SHRI DHARAMBEER SINGH AND ANRAppellants

Through: Mr. L.B. Rai, Mr. Vineesh Tyagi and
Mr. Ayush Pandita, Advocates.

versus

SHRI ANIL BAREJA AND ANR

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **08.08.2025**

CM APPL. 48573/2025 (exemption)

Exemption granted, subject to just exceptions.

Let requisite compliances be made within 01 week.

The application stands disposed-of.

RFA 718/2025 & CM APPL. 48572/2025 (stay/restraint order)

By way of the present regular first appeal filed under section 96 read with Order XLI of the Code of Civil Procedure 1908, the appellants impugn judgment and decree dated 09.06.2025 passed by the learned District Judge, North-East District, Karkardooma Courts, Delhi in suit bearing CS No. 386/2024.

2. Mr. Rai, learned counsel appearing for the appellants submits, that the suit has been held to be not maintainable by the learned trial court.
3. Mr. Rai argues, that the suit was founded upon certain *khautauni* and *khasra girdwari* relating to agricultural land, in which the name of the appellants' father is recorded as owner and possessor; and the suit was therefore well-founded.



4. Issue notice.
5. Upon the appellants taking steps, let notice be sent to the respondents by all permissible modes, returnable for the next date.
6. Let the notice indicate that reply to CM APPL. No.48572/2025 be filed within 06 weeks of service; rejoinder thereto, if any, be filed within 04 weeks thereafter; with copies to the opposing counsel.
7. No reply is required in the appeal.
8. Let trial court record be requisitioned in electronic form; and copy of TCR be supplied to counsel on request.
9. Re-notify on 06th November 2025 before the learned Joint-Registrar for completion of service; and completion of pleadings in the application.
10. List before court thereafter.
11. In view of the above, it is observed that the appellants shall be entitled the benefit of *lis pendens* under section 52 of the Transfer of Property Act, 1882.

ANUP JAIRAM BHAMBHANI, J

AUGUST 8, 2025

V.Rawat