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

+ RSA 169/2024, CM APPL. 55072/2024, CM APPL. 55649/2024 &  
CM APPL. 70284/2024

RADHA SHARMA

.....Appellant

Through: Mr.Sumit Gaba and Mr.Akash,  
Advocates

versus

CHANDER KANTA SHARMA & ANR.

.....Respondents

Through: Mr.Jitendra Sethi, Sr. Advocate with  
Mr.Hemant Gulati, Mr.Akash and  
Mr.Keshav Sethi, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE DINESH KUMAR SHARMA**

**ORDER**  
**22.01.2025**

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Mr.Jitendra Sethi, learned senior counsel appearing on behalf of the respondents submits that present proceedings are not maintainable as firstly, the possession of the subject property has already been handed over to the respondent. It is submitted that a suit was filed by Smt. Chander Kanta Sharma, against her three sons namely Sh. Rajesh Kumar Sharma, the legal heirs of Sh. Satish Kumar Sharma and Sh. Sunil Kumar Sharma. It is further submitted that the suit was decreed and the appeal filed against the same was also dismissed. It is also submitted that the present appellant is the wife of Sh. Rajesh Kumar Sharma, who had filed the objections during the execution proceedings and the same were dismissed.

The question is whether after dismissal of the objections, the present



regular second appeal is maintainable or not.

Both the parties are directed to file brief written submissions, not exceeding three pages, on the question of maintainability along with the judgments they wish to rely upon, at least a week in advance before the next date of hearing.

List on 03.04.2025.

**DINESH KUMAR SHARMA, J**

**JANUARY 22, 2025**

Dy/kr