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

+ RC.REV. 270/2025, CM APPL. 55323/2025 (Stay), CM APPL. 903/2026 (Stay) & CM APPL. 904/2026 (Exemption)

SURESH KUMAR

.....Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. with Mr. Amit Vohra, Adv.

versus

S. ESVINDER SINGH

.....Respondent

Through: Mr. Anurag Ahluwalia Sr. Adv. with Mr. Rohit K. Naagpal, & Mr. Deepak Sain, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **12.01.2026**

1. This hearing has been done through hybrid mode.
2. Learned Senior Counsel appearing on behalf of the petitioner contends that the impugned order dated 24.03.2025, does not take into account the fact that the site plan placed on record by the respondent, was contradicted by his own answer in cross-examination, conducted on behalf of the petitioner on 18.04.2018.
3. Attention of this Court has been drawn to the cross-examination dated 18.04.2018 of respondent, wherein it is admitted by the respondent that the suit property comprises of one big hall and it was further stated by him that he was not aware as to who prepared the site plan, with respect to subject property in question.
4. *Per contra*, learned Senior Counsel appearing on behalf of the respondent submits that the learned ARC, in the impugned order dated



24.03.2025, had observed and recorded that the petitioner had also admitted the site plan, showing the property in question, and therefore, the learned Trial Court had duly dealt with the submission on behalf of the petitioner and had given a finding accordingly.

5. Written submissions on behalf of the respondent in terms of order dated 02.09.2025, are not on record. Let the same be placed on record before the next date of hearing, with an advance copy to learned Senior Counsel for the petitioner.

6. List on 17.02.2026 at 2:30 P.M.

7. In the meantime, the learned Executing Court is requested to defer the proceedings before it, to a date subsequent to the date fixed in the present petition.

8. Copy of this order be sent to learned ARC-1, Central District, Tis Hazari Courts, for necessary information and compliance.

9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

JANUARY 12, 2026/nk/db