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

# **CNR No. DLHC010708642023**

+ **RSA 145/2023, CM APPL. 40323/2023**

**OM PRAKASH GAUTAM**

.....Appellant

Through: Mr. Vishesh Wadhwa, Ms. Swadha  
Gupta, Mr. Aditya Singh, Advocates  
versus

**VINOD KUMAR SHARMA AND ANR**

.....Respondents

Through: Mr. Anuj Aggarwal, Mr. Vikrant  
Chawla, Mr. Mayank Chauhan,  
Mr. Prabhav Pachauri, Mr. Gurkirat  
Singh, Advocates

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

% **02.09.2026**

1. Arguments heard on behalf of the learned Counsel for the Appellant.
2. Following substantial questions of law arise from the present RSA:-
  - (i) Whether there was a cloud on the title of the Plaintiff?
  - (ii) Whether the Suit for possession was not maintainable without seeking a declaration in respect of ownership?
  - (iii) Whether the Plaintiff/Appellant was entitled to mandatory injunction for possession on his better proprietary rights arising out of sale documents, i.e., registered GPA, ATS, etc., dated 25.09.2003?
  - (iv) Whether the impugned Judgment is perverse as passed without proper appreciation of facts and against the law?



3. Written submissions of the parties are already on record.
4. List for arguments on 03.03.2027.

**NEENA BANSAL KRISHNA, J.**

**SEPTEMBER 2, 2026**

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