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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3698/2024**
NARAYAN DAS YADAV NOW DECEASED AND ANR.
.....Petitioners
Through: Mr. S.D. Ansari, Advocate.
versus

BHARAT BHARARA AND ORS.Respondents
Through: Mr. Kunal Madan, Advocate for
respondent No.1.
Ms. Theepa Murugesan, Advocate for
respondent No.2.
(through V.C.)

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

% **ORDER**
24.10.2024

CM APPL.62664/2024 & CM APPL.62665/2024 (exemption)

Exemption allowed subject to all just exceptions.

CM(M) 3698/2024 & CM APPL. 62663/2024 (for interim relief)

1. Present petition has been filed under Article 227 of the Constitution of India.
2. Petitioners are defendant Nos.1 and 2 before the learned Trial Court and according to them, the plaintiffs (respondents) have filed a suit for mandatory and permanent injunction and are seeking the demolition/sealing of illegal unauthorized construction of all the floors at Shop No.1019, Gali Gayen to Ali Pan Mandi, Sadar Nala Road, Sadar Bazar , Delhi.



3. During pendency of the above said suit, which is reportedly at the stage of plaintiff's evidence, the petitioners had moved an application under Order VII Rule 11 CPC and such application has been dismissed by the learned Trial Court vide order dated 19.09.20214.
4. Such order is under challenge.
5. Learned counsel for respondent No.1 as also learned counsel for respondent No.2 appear on advance notice and accept notice.
6. Let brief written synopsis be filed by both the sides within one week from today after mutually exchanging the same between them.
7. Put up on 04th December, 2024 for final arguments.
8. The matter be shown in the supplementary list.
9. The learned Trial Court is requested to defer the hearing to a date subsequent to the one given by this Court.

MANOJ JAIN, J

OCTOBER 24, 2024
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