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

+ **CS(OS) 741/2025 & I.A. 3608/2026**

MR SYED AZIZ UR RAHMANPlaintiff
Through: None.
versus

MRS JASMINE SAINI AND ORSDefendants
Through: Ms. Gauhar Mirza, Mr. Syamantak
Sen, Advocates for D-1 to 3
(M:9163759868)
Mr. Saeed Qadri, Mr. Naveed
Ghaduddin, Advocates for D-5, 8 and
9 (M:9711609709)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **10.02.2026**

I.A. 3608/2026

1. The present application has been filed on behalf of the defendant nos. 1 to 3, under Section 10, read with Section 151 of the Code of Civil Procedure, 1908 ("CPC"), seeking stay of the proceedings in the present suit (later suit), pending final adjudication of *CS(OS) 50/2025*, titled as "*Mr. Khaleel Syed Rehman Versus Syed Habeeb Ur Rehman Private Trust and Ors.*", which is the earlier suit, presently pending before this Court.
2. Learned counsel for the applicants submits that the earlier suit, i.e., *CS(OS) 50/2025*, was instituted on 23rd January, 2025, whereas, the present suit was instituted later in time, on 15th October, 2025.
3. It is submitted that both the suits arise out of the same cause of action, involve the same parties or their privies, concern the same subject matter



and raise directly and substantially the same issues. Thus, in such circumstances, Section 10 of the CPC mandates that the later suit shall be stayed.

4. Issue notice to the non-applicants. Notice is accepted by learned counsel for defendant nos. 5, 8 and 9.

5. Issue notice to other non-applicants, by all permissible modes, including, through counsels.

6. Let reply be filed within a period of four weeks. Rejoinder thereto, if any, be filed within a period of two weeks, thereafter.

7. Re-notify on 23rd March, 2026, i.e., the date already fixed.

MINI PUSHKARNA, J

FEBRUARY 10, 2026/au