



\$~7 to 9

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

+ RC.REV. 313/2018 & CM APPL. 27702-27703/2018, CM APPL.  
53087/2018

SOM NATH KHARBANDA ..... Petitioner  
Through Mr. Rakesh Malhotra, Mr. Rupender  
Sharma and Mr. Prem Kumar,  
Advocates

versus

MANOJ KUMAR MITTAL & ORS ..... Respondents  
Through Mr. Shiv Charan Garg and Mr. Imran  
Khan, Advocates

+ RC.REV. 375/2018 & CM APPL. 31396/2018, 53076/2018 & CM APPL.  
42736/2019

NIHAL CHAND ..... Petitioner  
Through Mr. Rakesh Malhotra, Mr. Rupender  
Sharma and Mr. Prem Kumar,  
Advocates

versus

MANOJ KUAMR MITTAL & ORS ..... Respondents  
Through Mr. Shiv Charan Garg and Mr. Imran  
Khan, Advocates  
Mr. Dhruva Bhagat, Advocate for  
applicant in CM APPL. 42734/2019

+ RC.REV. 376/2018 & CM APPL. 31399/2018 & CM APPL. 53081/2018

CHARANJEET SINGH ..... Petitioner  
Through Mr. Rakesh Malhotra, Mr. Rupender  
Sharma and Mr. Prem Kumar,  
Advocates

versus

MANOJ KUMAR MITTAL & ORS ..... Respondents  
Through Mr. Shiv Charan Garg and Mr. Imran



Khan, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV SACHDEVA**

**ORDER**

%

**17.02.2020**

**CM APPL. 42734/2019 (for directions) in RC REV. 375/2018**

1. By this application, applicants contend that they are co-owners of the subject premises having 1/7<sup>th</sup> share therein. It is contended that use and occupation charges being received by the respondent be apportioned and they be granted 1/7<sup>th</sup> share in the same.

2. Learned counsel for the respondents/landlord submits that with regard to the 1/7<sup>th</sup> ownership of the applicants is concerned, there is no dispute. He however, submits that as suit for partition is pending, the applicants may move an appropriate application in the said suit.

3. Accordingly, learned counsel for the applicants seeks leave to withdraw the application reserving rights of the applicants in the partition suit which is pending for appropriate relief.

4. Application is dismissed as withdrawn. All rights and contentions of the parties as reserved.

**RC.REV. 313/2018, RC.REV. 375/2018 & RC.REV. 376/2018**

5. List for consideration on 07.09.2020.

6. Digital copy of the trial court record be requisitioned.

7. Interim orders to continue.

**SANJEEV SACHDEVA, J**

**FEBRUARY 17, 2020/‘rs’**