



2023/06/24/CS/24

\$~OS-16

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

+ **CS(OS) 320/2018**

PAWWAN KHANNA Plaintiff

Through Mr.Rajiv Bajaj, Adv.

versus

DEEPAK BAGGA & ANR. Defendant

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **09.07.2018**

IA No.8725/2018

Exemption allowed, subject to all just exceptions.

Application stands disposed of.

IA No.8726/2018

This application is filed under section 149 CPC for extension of time to pay the deficit court fees. Needful be done within one week.

Application stands disposed of.

CS(OS) 320/2018

Plaint be registered as suit. Issue summons to the defendants by ordinary process and speed post, returnable on 7.9.2018.

IA No.8724/2018

Issue notice to the defendants by ordinary process and speed post, returnable for the date fixed above.

This application is filed under Order 39 Rules 1 and 2 seeking to restrain the defendants from interfering in the peaceful possession of the



property being 8 Bigha and 32 Biswa comprised in Mustatil No.61 Kila No.16/2 (1-05) and 17/1 (3-11) situated in Revenue Estate of Village Jonapur, Tehsil Mehrauli, New Delhi-110047. It is contended that the parties entered into an agreement to sell on 5.1.2016 for a total sale consideration of Rs.4.5 crores. On that date a sum of Rs.4 crores is said to have been paid to defendant No.1 who also executed General Power of Attorney and handed over possession of the property. Another sum of Rs.50 lacs was paid on 6.1.2016. It is further stated that now in a clandestine manner defendant No.1 has executed a sale deed dated 30.5.2016 for the suit property in favour of defendant No.2. The plaintiff has thereafter filed a complaint on the basis of which an FIR under Section 420/34 IPC has been registered being FIR No.127/2018 at Police Station Patel Nagar.

Plaintiff has made out a prima facie case. Till the next date of hearing parties will maintain status quo regarding the suit property.

Plaintiff to comply with provisions of Order 39 Rule 3 CPC within one week from today.

Dasti.

JAYANT NATH, J

JULY 09, 2018

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