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

+ RFA 525/2017 & CM APPL. 26204/2020, CM APPL. 28608/2025,  
CM APPL. 38995/2025

PHOOL SINGH

.....Appellant

Through: Mr. S.C Singhal & Mr. Parth  
Mahajan, Advocates

versus

RAJENDER SINGH

.....Respondent

Through: Mr. Pradeep Kumar Arya, Mr.  
Gaurav Chaudhry, Mr. Rishabh, Ms.  
Arunima Singh, Mr. Anubhav Rathi,  
Mr. Vaibhav Chaudhry, Ms. Akshika  
Chaudhary, Advocates  
(M:9810359511)

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER**

**08.08.2025**

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**CM APPL. 38995/2025**

1. The present application has been filed on behalf of the appellant under Section 151 of the Code of Civil Procedure, 1908 ("CPC") for hearing of *CM APPL. 26204/2020*.
2. While issuing notice, this Court had noted the submissions made by learned counsel for the appellant that the impugned judgment and decree dated 28<sup>th</sup> February, 2017, was directed to be stayed *vide* order dated 30<sup>th</sup>



May, 2017, subject to the appellant depositing the *mesne* profit till late 2017, as awarded by the Trial Court in the impugned judgment.

3. Thus, the respondent has remained in possession of the property in question.

4. It is submitted that the appellant had filed *CM APPL. 26204/2020* seeking directions to restrain the respondent from selling, alienating or creating any third party interest in the property in question.

5. Subsequently, it came to the knowledge of the appellant that respondent had started construction work with respect to addition/alteration in the property in question, and therefore, the present application being *CM APPL. 38995/2025* was filed.

6. Learned counsel for the respondent has put in appearance pursuant to the notice issued in the present case.

7. Learned counsel for the respondent submits that the respondent is not selling, alienating or creating any third party interest in the property in question.

8. The aforesaid statement made by learned counsel for the respondent is taken note of.

9. Learned counsel for the respondent has handed over photographs of the property to show that the respondent has only undertaken the exercise of getting the said property cleaned. The photographs, as handed over to this Court, are reproduced as under:



*This is a digitally signed order.*

*The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.*

*The Order is downloaded from the DHC Server on 11/08/2025 at 12:33:31*



10. Noting the aforesaid, it is clear that neither any addition/alteration work is being carried out by the respondent, nor the respondent is selling, alienating or creating any third party interest in the property in question.

11. Accordingly, noting the aforesaid, applications being *CM APPL. 26204/2020* and *CM APPL. 38995/2025* are accordingly, disposed of.

**RFA 525/2017**

12. The matter is ripe for hearing.

13. Accordingly, both the parties are directed to file their written submissions, along with the judgments that they wish to rely upon, before the next date of hearing.

14. List on 05<sup>th</sup> December, 2025.

**MINI PUSHKARNA, J**

**AUGUST 8, 2025/au**