

**Rakesh Kumar vs. Nirmala Devi
& ors.**

CMPMO No. 530 of 2026

18.9.2026

Present: Mr. R.K.Bawa, Senior Advocate, assisted by Mr. Abhinav Thakur, Advocate for the petitioner.

Mr. Mukul Sood, Advocate, for respondent No. 3.

Notice. Mr. Mukul Sood, Advocate appears and waives service of notice on behalf of respondent No. 3. Notice be issued to respondents No. 1 and 2, returnable for 30.10.2026, on steps being taken within a week.

CMP No. 23948 of 2026

It has been submitted by learned Senior counsel appearing for the petitioner that in the present case, when, application under Order 6 Rule 17 CPC has been filed, evidence has already been adduced by both the parties, except cross-examination of one of the DWs. Whereas, in the impugned order, it has been mentioned by the learned trial Court that the trial of the suit is at the initial stage.

Considering the said fact, the application, under consideration is allowed and further proceedings in the case titled as, 'Nirmala Devi & anr. vs. Rakesh Kumar & anr.', are ordered to be stayed, during the pendency of the petition. The application is, thus, disposed of.

CMP No. 23949 of 2026

The application is allowed with a direction to the applicant to do the needful, as and when, directed by the Court to do so. The application is, thus, disposed of.

(Virender Singh)
Judge

September 18, 2026
(kalpana)