

## Suresh Kumar vs Om Prakash & Ors on 21 March, 2018

**Author: Rajiv Sahai Endlaw**

**Bench: Rajiv Sahai Endlaw**

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI  
+ CS(OS) 1678/2010  
SURESH KUMAR ..... Plaintiff  
Through: Mr. Sachin Kumar, Adv.  
Versus  
OM PRAKASH & ORS ..... Defendants  
Through: Mr. Ankit Gupta, Adv. for D-1.  
CORAM:  
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW  
ORDER

% 21.03.2018 IA No.6647/2017 (of the defendant no.1 under Order XXXIX Rules 1&2 CPC)

1. The counsel for defendant no.1 and the counsel for the plaintiff state that there is no interim order on this application till now.
2. The counsel for defendant no.1 withdraws the application.
3. Dismissed as withdrawn.

IA No.1847/2013 (of the defendant no.1 under Order XXXIX Rules 1&2 CPC)

4. Neither the counsel for the plaintiff nor the counsel for the defendant no.1, who alone appear, are aware whether there is any interim order in this application or not. They however state that the evidence of the plaintiff stands concluded and the evidence of the defendants is to be recorded. It is however informed that undertaking has been furnished. The undertakings if any, to continue.
5. The application is disposed of.
6. The counsel for the petitioner / relator / plaintiff draws attention to the order dated 30th August, 2016 directing the respondent / defendant no.1 to deposit in this Court the sale consideration of Rs.4.55 lacs.
7. Neither the counsel for the petitioner / relator / plaintiff nor the counsel for the respondent / defendant no.1 is aware whether the amount of sale consideration has been deposited or not.
8. However there is an endorsement of the Court Master that the said amount has been deposited.

9. The counsel for the petitioner / plaintiff states that no further orders are required.
10. Making the order dated 30th August, 2016 in CCP(O) No.34/2016 absolute till the disposal of the suit, the petition is closed.
11. Issues were framed in this petition on 26th February, 2014 and evidence ordered to be led thereon along with the main suit.
12. No further orders are required in this proceeding. The same be not shown in the cause list.

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13. List before the Joint Registrar on 17th April, 2018 for fixing further date of evidence.

RAJIV SAHAI ENDLAW, J MARCH 21, 2018 'gsr'..