



2025:DHC:9047



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

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***Date of Decision: 08.10.2025***

+ C.R.P. 274/2024

M/S RED SKY PROMOTERS PVT LTD &amp; ANR. ....Petitioners

Through: Mr. Humraz Bir Singh with Mr.  
Guriqbal Singh Pantalia, Advs.

versus

M/S SD LAND MARKS PVT. LTD. ....Respondent

Through: Mr. Anand Prakash, Adv.

**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**

1. The present Petition has been filed by the Petitioners under Section 115 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] impugning the Order dated 24.05.2024 passed by the learned Trial Court [hereinafter referred to as "Impugned Order"]. By the Impugned Order, an application under Order XII Rule 6 of CPC filed by the Petitioner/Plaintiff before the learned Trial Court has been dismissed.

2. It is the case of the Petitioners/Plaintiffs that the Petitioner/Plaintiff No. 1 is the owner of the Agricultural land measuring 2 Bigha 12 Biswa out of Khasra No. 72/1 situated in Revenue Estate of Village Alipur, Delhi – 110036, having purchased 1 Bigha 8 Biswa from Shri Rajesh Rana vide Registered Sale Deed dated 13.12.2009, which is registered vide Registration No.:203, Addl. Book No. 1, Vol. No. 2017 on pages 91 to 95 dated 15.01.2010 before the office of Sub-.Registrar VIB, Delhi and 1 Bigha 4 Biswa from Mr. Rakesh Shokeen, vide Registered Sale Deed dated 13.12.2009, which is registered vide Registration No. 204, Addl. Book No.



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1, Vol. No. 2017 on pages 96 to 100 dated 15.01.2010 before the office of Sub-Registrar VIB, Delhi. While it is the case of the Respondent/Defendant that the property that he has purchased is the property bearing Khasra No. 72/8.

3. The learned Counsel for the Respondent/Defendant submits that there are clear disputed questions of fact including the address of the suit property and that there is no unambiguous admission by the Respondent/Defendant to entitle the judgment under Order XII Rule 6 of CPC. The learned counsel for the Respondent/Defendant also submits that given these disputed questions of fact, a judgment under Order XII Rule 6 of CPC cannot be passed.

4. After some arguments, the learned Counsel for the Petitioners/Plaintiffs submits that he would be satisfied if a direction is passed for an expedited trial.

5. Accordingly, the following directions are passed:

- (i) The Petitioners and the Respondent shall not take any unnecessary adjournments before the learned Trial Court.
- (ii) The parties are bond down by the statement made by their Counsel before the Court today.

6. The Petition is, accordingly, dismissed as withdrawn.

7. The parties will act based on the digitally signed copy of the order.

**TARA VITASTA GANJU, J**

**OCTOBER 8, 2025/SU/ha**