



2025:DHC:2188



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% ***Date of Decision: 24.03.2025***+ **C.R.P. 201/2024, CM APPL. 37776/2024, CM APPL. 72198/2024,**
CM APPL. 72203/2024, CM APPL. 72204/2024. CM APPL.
75923/2024

ARCHANA SHARMA & ANR.

.....Petitioners

Through: Ms. Shilpa Chohan, Mr. Jitender
Chaudhary, Ms. Diksha Verma & Ms.
Pankhuri Nehra, Advocates.

versus

PUNEET SHARMA & ANR.

.....Respondents

Through: Ms. Richa Kapoor, Mr. Kunal Anand,
Ms. Shisham Pradhan & Ms. Sanchari
Banerjee, Advocates for R-1.
Ms. Sonia A. Menon, Advocate for
Applicant/Auction Purchaser.**CORAM:****HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)****CM APPL. 72198/2024 [for Impleadment]****CM APPL. 72203/2024 [seeking to redeem the property]****CM APPL. 72204/2024 [for stay]**

1. These Applications have been filed on behalf of Respondent No.1 in a Revision Petition which seeks to challenge order dated 11.01.2024 passed by learned ADJ, Central, Tis Hazari Court, New Delhi [hereinafter referred to as 'Impugned Order'] in the present Petition under Section 115 of the



Code of Civil Procedure, 1908 ('CPC').

2. The present Applications are dismissed as not being maintainable. Liberty is however granted to Respondent No.1/Applicant to take steps before the appropriate forum, in accordance with law, if his grievance survives.

CM APPL. 75923/2024 [On behalf of the Auction Purchaser for handing over the possession]

3. This is an Application filed on behalf of the Applicant/auction purchaser seeking handing over of the possession of the property.

4. The present Application is disposed of giving the Applicant the right to pursue his remedies in accordance with law.

C.R.P. 201/2024 & CM APPL. 37776/2024 [for condonation of delay]

5. This Court had briefly examined the matter on the last date of hearing and passed the following directions:

"2. Notice in the present Petition was issued by a Coordinate Bench of this Court on 09.07.2024 and thereafter by a consent order dated 28.10.2024, certain directions were passed qua sale of property bearing Flat No. 576, Sanskriti Apartments, Sector 19-B, Dwarka, New Delhi. Subsequently, both parties have filed several applications in pursuance of the orders of 28.10.2024.

3. Prima facie, this matter has become infructuous once the order dated 28.10.2024 was passed which has in essence modified the Impugned Order. The challenge before this Court is limited to an order passed by the learned Trial Court. However, by these successive applications, the parties now require this Court to examine the matter per se which is not permissible in law."

6. Learned Counsel for the Petitioners submits that the order dated 28.10.2024 was passed with the consent of the parties, and this order was also challenged by Respondent No.1 before the Supreme Court.

6.1 By an order dated 29.11.2024, the Supreme Court has dismissed the



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challenge to the order dated 28.10.2024. Thus, the order dated 28.10.2024 passed by this Court has attained finality.

7. Learned Counsel for the auction purchaser submits that the order dated 28.11.2024 has also been partly complied with.

8. Learned Counsel for the Petitioners, on instructions, seeks and is granted permission to withdraw the present Petition.

9. The Petition is dismissed as withdrawn. The pending Application also stands closed.

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

TARA VITASTA GANJU, J

MARCH 24, 2025/ ha

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