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

% *Date of Decision: 11th July, 2025*

+ CM(M) 1200/2025 & CM APPL. 40466/2025

SHOBHA SACHDEVA & ANR.

.....Petitioner

Through: Mr. Eklavya Bahl with Mr. Pawas
Aggarwal and Mr. Apoorva Bahl,
Advocates

versus

NARENDER KUMAR SACHDEVA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Respondent herein has filed a suit for mandatory and permanent injunction. Such suit is directed against his brother Dr. Satish Chander Sachdeva and his wife Dr. Shobha Sachdeva.
2. When the abovesaid suit was taken up by the learned Civil Judge on 29.11.2022, defendants were restrained from dispossessing the suit property.
3. Such injunction order was made absolute as the application moved under Order XXXIX Rule 1 and 2 CPC was also allowed on 06.09.2023.
4. The abovesaid order has already been challenged by the defendants by filing an appeal which is pending adjudication before learned District Judge.
5. The petitioners herein are such appellants and their grievance is, merely, to the effect that such appeal has yet not been decided. They, therefore, seek expeditious disposal of their such appeal.
6. During course of arguments, learned counsel for the petitioner submitted that the appeal was filed immediately and it was heard by the



learned First Appellate Court from time to time and was even fixed for orders but in the interregnum, on account of there being transfers, the appeal has yet not been decided. It is informed that the said appeal is coming up for fresh hearing on 28th instant.

7. Undoubtedly, in view of the abovesaid, the appeal would required to be heard afresh by the learned First Appellate Court.

8. Learned counsel for petitioners also draws attention of this Court to one earlier order passed by this Court on 16.11.2023. Earlier also the petitioner had come up with a similar request and while disposing of CM(M) 1827/2023, this Court had directed the learned First Appellate Court to pronounce the final order, with respect to the appeal and pending applications, preferably, within four weeks.

9. This Court can understand the grievance raised by the appellants as on previous, at least, two occasions, the matter had been fixed for orders by the then learned Presiding Officer.

10. Since the appeal was filed in the year 2022, and also in view of above order dated 16.11.2023 of this Court, this Court expects that the learned First Appellate Court would give requisite priority to the abovesaid appeal and would make best endeavor to dispose that of, as expeditiously as possible, preferably within 8 weeks.

11. Petition stands disposed of in aforesaid terms.

12. Pending application also stands disposed of in aforesaid terms.

MANOJ JAIN, J

JULY 11, 2025/sw/JS