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

% *Date of Decision: 21<sup>st</sup> July, 2025*

+ CM(M) 1300/2025 & CM APPL. 43170/2025

RAM LAL AHUJA AND ANR .....Petitioner

Through: Mr. Rahul Malik, Advocate

versus

INDER AHUJA .....Respondent

Through: None

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. Petitioner is plaintiff before the learned Trial Court and is pursuing his suit for partition and rendition of account.
2. In the year 2022, defendant moved an application under Order VII Rule 11 CPC which is still pending adjudication. When the matter was listed before the learned Trial Court on 29.05.2025, it refused to prepone the next date of hearing citing heavy pendency in his Court and the matter was directed to be taken up on 17.07.2025.
3. When asked, learned counsel for petitioner/plaintiff informed that on 17.07.2025 also, adjournment request was made by the defendant and learned Trial Court has fixed up the matter on 02.09.2025. He submits that because of the aforesaid application filed by the defendant, there is no headway in the suit and, therefore only, even the trial has not yet begun. He submits that plaintiff is always ready to address arguments on the aforesaid application but defendant is delaying the disposal of the aforesaid application by seeking adjournment time and again.



4. He also supplements that the arguments from their side were rather addressed before the learned Trial Court, on previous multiple occasions but there is yet no adjudication.

5. None appears on behalf of respondent despite advance notice.

6. After hearing arguments for some time, the present petition is disposed of with direction that learned Trial Court shall take up the aforesaid application moved by defendant under Order VII Rule 11 CPC on 02.09.2025 and would dispose it of within of eight weeks.

7. It is expected that both the sides would render their due assistance and co-operation to the learned Trial Court so that learned Trial Court is in a position to achieve the aforesaid disposal of the said application.

8. Learned Trial Court would also keep in mind the direction given by this Court on 14.05.2024 in CM(M) NO. 2564/2024 whereby this Court has already requested the learned Trial Court to decide the civil suit in question expeditiously.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 21, 2025/dr/shs**