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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 271/2023
RAMDEV

..... Appellant

Through: Mr. SS Gulia, Adv.
versus

SMT. KUSUM & ANR.

..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

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20.11.2023

CM APPL. 59601/2023-EARLY HEARING

1. This is an application seeking early hearing of the matter on the ground that the learned Trial Court has directed the parties to seek instructions from the High Court *qua* stay on the completion of the inquiry.
2. The order dated 05.04.2023 has directed as under:-
“
Till the next date of hearing, parties herein shall maintain status quo with respect to the suit properties i.e. 447, Block I, J.J. Colony, Mangol Puri, Delhi; 448, Block I, J.J. Colony, Mangol Puri, Delhi and 449, Block I, J.J. Colony, Mangol Puri, Delhi.”
3. I have heard Mr. Gulia, learned counsel for the appellant
4. The appeal challenges the judgment and decree dated 16.12.2022 passed in CS DJ 575669/2016, wherein the suit for partition filed by the respondent No.1 was allowed and a preliminary decree for partition was passed.



5. Since the appeal challenges the preliminary decree and the appeal is to be heard, it is directed that the learned Trial Court may proceed with the inquiry but no final decree for partition shall be passed till the next date of hearing. The order dated 05.04.2023 is clarified accordingly.
6. List on 23.04.2024, the date already fixed.
7. *Dasti* under the signature of the Court Master.

JASMEET SINGH, J

NOVEMBER 20, 2023 / (MS)

Click here to check corrigendum, if any