

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C)...../2017
(CC No.123/2017)

(Arising out of impugned final judgment and order dated 18/03/2016
in RFA No. 16498/2015 passed by the High Court of Delhi at New
Delhi)

BIRENDER

Petitioner(s)

VERSUS

BALDEV RAJ CHUCHRA & ORS.

Respondent(s)

(With appln. (s) for c/delay in filing SLP and c/delay in refiling
SLP and office report)

Date : 09/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KURIAN JOSEPH
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s)

Mr. Puneet Taneja, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Another similar matter arising out of common order
has already been dismissed by this Court on 11th November,
2016 in SLP(C)No.20696/2016 with the following order:

"We find no reason to entertain this Special
Leave Petition, which is, accordingly, dismissed.

However, in case all the heirs agree for a
partition as they propose, it will be open to
them to approach the Trial Court where the final
decree proceedings are pending and in which case,
the Trial Court shall consider the request. The
impugned order passed by the High Court shall not

stand in the way of the Trial Court passing appropriate orders in the final decree proceedings, taking note of the joint request of all the heirs.

Pending interlocutory applications, if any, are disposed of."

In view of the above, this petition also stands dismissed.

Pending application, if any, stands disposed of.

(Anita Malhotra)
Court Master

(Renu Diwan)
Assistant Registrar