

DISPUTE REGARDING OWNERSHIP OF PREMISES

II (2009) BC 545

DELHI HIGH COURT

Shiv Narayan Dhingra, J. JAINSONS WESTEND & ORS. – Petitioners Versus

TARJIT SINGH & ORS. – Respondents
CM (M) No. 1481 of 2007 – Decided on 7.11.2008

Civil Procedure Code, 1908 – Section 151 – Stay of Suit for Recovery of Rent – Dispute regarding ownership of premises – This Court earlier stayed eviction proceedings against petitioner filed by respondent on ground that respondents have received full consideration and entered into settlement with petitioner Nos. 2 to 6 with their eyes open – Fact that petitioner Nos.2 to 6 filed suit for specific performance and withdrew same would have no material bearing since suit was filed on account of registered documents not being executed in favour of petitioner Nos. 2 to 6 – Till such time respondents succeed in their suits seeking declaration in respect to sale deeds executed on behalf of respondents by attorney in favour of present owners – Proceedings in suit liable to be stayed.

(Paras 4, 5)

Result: *Petition allowed.*
