

\$~41 (Appellate Side – List of 2022)

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

+ CM (M) 321/2022 & CM APPL. 17160/2022

RAJENDER KUMAR SETHI & ANR. Petitioners

Through: Ms. Simran Sadyara, Adv.

versus

M/S V.G. MARKETING PVT LTD & ORS. Respondents

Through: Ms. Jyoti Dutt Sharma, ASC
with Mr. C.K.Bhatt and Mr. Sparsh
Chaudhary, Adv. for R-5

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)

% **06.04.2022**

1. Ms. Simran Sadyara, learned Counsel for the petitioners, seeks a direction to the learned trial court to decide CS 1612/2020 expeditiously.

2. It is seen from the order sheets before the learned Civil Judge that the learned Civil Judge has taken up this matter on 19th November, 2020, 9th December, 2020, 14th January, 2021, 30th March, 2021, 7th September, 2021, 29th September, 2021, 18th November, 2021 and 31st January, 2022 and that the matter is now listed on 25th April, 2022.

3. This Court is completely befuddled as to how the petitioners can even envisage any direction to the learned trial court to deal with this matter with greater expedition than has been displaced by the learned

trial court in this case.

4. Post resumption of normal court work after pandemic, trial courts are overburdened and this Court is hesitant to subject them to any greater burden than is already on them.

5. This petition, in my view, is an abuse of process of the court. It is a means to try and use the High Court as an avenue to pressurise the trial court in dealing with the petitioners' matter.

6. This is not what Article 227 of the Constitution of India is meant for. The petition is accordingly dismissed with costs of ₹ 11,000/- to be paid by way of a crossed cheque favouring the Delhi High Court Legal Services Committee (DHCLSC), to be deposited with the Registrar General of this Court within a period of 10 days from today.

C. HARI SHANKAR, J.

APRIL 6, 2022

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