

**(Equivalent Citation:- 2003(1) AD(Delhi) 584, 2003(2) RCR(Civil) 125,  
2003(66) DRJ 117, 2003(1) AD(Delhi) 584, 2003(66) DRJ 117)**  
101 (2002) Delhi Law Times 478

Delhi High Court

S. Mukerjee, J.

SIKHA PROPERTIES PVT. LTD. —Plaintiff

versus

S.D. ADLAKHA TRUST & ANR. —Defendants

I.A. No. 99 of 2001 in S. No. 349 of 1997—Decided on 15.11.2002

**Preliminary Issues : In view of Over All Interest and Benefit of All Concerned in Earliest Adjudication of Matter, Circumstances Emphasized by learned Counsel for Defendant viz. Fixing of date of Trial or fact of Another Withdrawal of Application for Additional Issues by Plaintiff, would not Stand in Way of these Issues being Treated to be Preliminary Issues.**

[\[Paras 7, 8, 9\]](#)

**Result : I.A. allowed.**

**Cases referred :**

1. I (2002) SLT 528=2002 I AD (SC) 399. (Referred)
2. 1996 IV AD (SC) 393. (Referred)

[\[Para 4\]](#)

[\[Para 5\]](#)

**Counsel for the Parties :**

For the Plaintiff : Mr. **R.M. Sinha**, Advocate.

For the Defendant No. 1 : Mr. Atul Nigam, Advocate.

For the Defendant No. 2 : Mr. P. Nagpal and Ms. Meghna Mittal, Advocates.