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

CNR No. DLHC010406752026

+ CM(M) 1910/2026, CM APPL. 58442/2026, CM APPL. 58443/2026,
CM APPL. 58444/2026 & CM APPL. 58445/2026

RISHI MARWAH

.....Petitioner

Through: Ms. Upasana Pahuja, Ms. Sheenu
John, Ms. Mehek Chaudhary,
Advocates.

versus

MEGHNA MARWAH & ANR.

.....Respondents

Through: Mr. Sumeet Kaul and Ms. Gagan
Kohli, Advocates.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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31.08.2026

1. Through the present petition, the petitioner is challenging the observation made by the learned Trial Court *vide* its order dated 25.04.2026, wherein it has been observed that:-

“it is being clarified again that no liberty has been or is been granted to the plaintiff to file afresh suit, as prayed for in the present application and the present suit has rather been abandoned by the plaintiff by getting his statement recorded today. It is also pertinent to state that the plaintiff had been duly apprised about the same before his statement was recorded, in presence of his counsel.”

2. The learned counsel for the petitioner has taken this Court to the order dated 04.11.2025 passed by this Court in CM(M) 2100/2025, where it has specifically been observed by this Court that the petitioner was granted liberty to withdraw and file afresh. This Court deems it relevant to reproduce



the relevant portion of the order:-

“3. In these circumstances, learned counsel for petitioner/plaintiff on instructions seeks permission to withdraw this petition with liberty to file fresh suit for recovery of possession of immovable property and other reliefs.

4. Accordingly, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.”

3. In view of the same, the observations, in the impugned order, as extracted in paragraph one, which have been made contrary to the order of this Court dated 04.11.2025 are struck down. The liberty which was granted is upheld and continued.

4. The present petition, along with pending applications, if any, stands disposed of.

AUGUST 31, 2026

Sk/sg

AJAY DIGPAUL, J