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

CNR No. DLHC010530032025

+ **TR.P.(C.) 138/2025 & CM APPL. 47448/2025 (Stay)**

SUDHIR KUMAR

.....Petitioner

Through: **Mr. Raksh Mittal, Ms. Yamini Mittal and Mr. Ajay Harshana, Advs.**

versus

MONIKA MAKKAR & ORS.

.....Respondents

Through: **Mr. Vikas Kakkar, Ms. Anchal Kakkar, Mr. Abhishek Baghel, Mr. Sanskar Nagaich, Mr. Bharat Kumar, Advs. for R-1 & R-2. Mr. Chaitanya and Ms. Kirtika Goyal, Advs. for R-3.**

CORAM:

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN SHANKAR

ORDER

20.08.2026

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1. The present Transfer Petition under Section 24 of the Code of Civil Procedure, 1908, seeks the transfer of Commercial Suit bearing number CS(COMM) No. 379/2025, pending before the learned District Judge, (Commercial Courts)-06, South East District, Saket Court, New Delhi, to the Court of the learned District Judge (Commercial Court-05), South District, Saket Courts, New Delhi.

2. Learned counsel appearing on behalf of the Petitioner, on instructions, seeks to withdraw the present Petition since the Suit bearing No. CS(COMM) 379/2025, for which the transfer has been originally sought, has been returned by the learned Trial Court *vide*



Order dated 07.08.2025, thereby rendering the present Petition infructuous.

3. He submits that the return of the plaint has been the subject matter of a challenge before this Court before the Division Bench, which came to be partially allowed. He further submits that the same is proposed to be challenged before the Hon'ble Supreme Court.

4. Leave, as sought for, is granted.

5. In view of the above submission, the present Petition, along with pending application(s), if any, is dismissed as withdrawn.

HARISH VAIDYANATHAN SHANKAR, J.
AUGUST 20, 2026/nm/va