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

+ CM(M) 4/2016 & CM Nos.188-189/2016

KULDEEP SINGH BANGA Petitioner
Through: Mr.G.S.Singh, Advocate.

versus

RANVIR SINGH SANDHU Respondent
Through: None.

CORAM:
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **05.01.2016**

1. The petitioner has filed the present petition impugning the order dated 11.12.2015 whereby the application filed by the petitioner (defendant in Civil Suit No.12/2014) under Order VII Rule 11 CPC has been dismissed by the learned Trial Court.
2. Learned counsel for the petitioner/defendant submits that on 02.11.2015 he could not appear before the learned Trial Court due to murder of his own brother and due to that reason, the defence of the petitioner/defendant was struck off.
3. Learned counsel for the petitioner/defendant further submits that the petitioner/defendant is ready to comply with the directions of the learned Trial Court to deposit the arrears of rent @ Rs.7260/- per month and also to pay the cost before the learned Trial Court tomorrow and he may be

permitted to withdraw the present petition with liberty to move appropriate application before the learned Trial Court praying for granting an opportunity to defend the suit.

4. Since the petitioner/defendant is ready and willing to comply with the directions of the learned Trial Court to deposit the arrears of rent @ Rs.7260/- per month and also to pay the cost, if the same is deposited/paid by tomorrow, as submitted by learned counsel for the petitioner, the learned Trial Court may consider the application of the petitioner/defendant praying for giving an opportunity to defend the suit.

5. The petition is dismissed as withdrawn granting the liberty as prayed for.

6. A copy of this order be given dasti to learned counsel for the petitioner under the signature of Court Master, as prayed.

PRATIBHA RANI, J.

JANUARY 05, 2016

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