



\$~122 (Appellate)

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

+ **CM(M) 381/2022 & CM APPL. 19848/2022**

DILPREET SINGH Petitioner
Through: Mr. Ankit Kohli, Adv.

versus

KINGSON GOGIA Respondent
Through: Adv. (Appearance not given)

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR

J U D G M E N T (O R A L)

%

26.04.2022

1. This petition is preferred only against award of costs of ₹ 25,000/-, by the learned JSCC/ASCJ/GJ (West), Tis Hazari Court, *vide* order dated 29th January, 2022 in CS 9196/2016.

2. While it is always a matter of discretion of a court to award or not to award costs in a matter, costs cannot be mechanically awarded.

3. Any award of costs has to be informed by reasons for doing so.

4. The impugned order dated 29th January, 2022 has been passed on an application filed by the petitioner which the petitioner sought leave to withdraw.

5. The learned JSCC/ASCJ has permitted withdrawal of the



application subject to payment of costs of ₹ 25,000/-.

6. To my mind, such an order, without any indication as to why costs was being imposed, cannot sustain.

7. Accordingly, given the nature of the dispute, I do not deem it necessary to keep this petition pending.

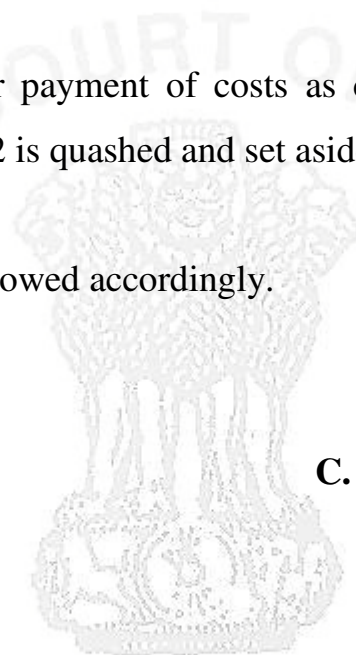
8. The direction for payment of costs as contained in the order dated 29th January, 2022 is quashed and set aside.

9. The petition is allowed accordingly.

APRIL 26, 2022

dsn

C. HARI SHANKAR, J.



न्यायमेव जयते