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

% Judgment delivered on: 29.05.2023

+ CM(M) 894/2023

SHRI SHIV KUMAR

..... Petitioner

versus

SHRI SATISH & ORS.

..... Respondents

Advocates who appeared in this case:

For the Petitioner : Mr. Ishan Sanghi, Ms. Sagrika Wadhwa and Ms. Pooravashi Kalra, Advocates.

For the Respondents : Mr. Avtar Singh, Advocate for R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

JUDGMENT

TUSHAR RAO GEDELA, J. (ORAL)

[The proceeding has been conducted through Hybrid mode]

CM APPL. 28464/2023 (for exemption)

1. Exemption is allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. Ms. Pooravashi Kalra, learned counsel appears for the petitioner



and submits that the only relief that the petitioner seeks in the present petition, is restricted to setting aside of the costs of Rs. 15,000/-, which was imposed upon the plaintiff.

4. The petitioner was stated to have been taking care of a family member and on that account the petitioner could not be present before the learned Trial Court.

5. Mr. Singh, learned counsel appearing for the respondent Nos. 1 and 2 submits that the order is complete in all respects and a detailed one and keeping in view the past conduct of the petitioner, is sustainable in law.

6. This Court has considered the submissions of the learned counsel for the parties and it appears that the imposition of costs of Rs. 15,000/- in the present case is onerous.

7. Accordingly, the imposition of costs are set aside, without any objections on merits.

8. In view of the above terms, the present petition is disposed of.

9. It goes without saying that the application seeking restoration of the plaint be taken up by the learned Trial Court in all earnest on the next date of hearing and dispose it of at the earliest.

TUSHAR RAO GEDELA, J.

MAY 29, 2023/nd