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

+ **CM(M) 2096/2024**

RAJYESH KUMAR PATNI

..... Petitioner

Through: Mr. Vishal Maan, Adv.

versus

WALNUT PICTURES AND ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **13.03.2024**

CM APPL. 15246/2024 (Exp)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2096/2024, CM APPL. 15245/2024 (Stay)

3. The present petition under Article 227 of the Constitution of India has been filed impugning the orders dated 16.01.2024 and 23.02.2024 passed by the learned District Judge (Commercial-06), Saket Court, New Delhi in CS (Comm.) No. 409/2023 titled as "Rajyesh Kumat Patni vs. Walnut Pictures & Ors." whereby the learned Trial Court issued notice on the application seeking condonation of delay filed by the respondent and subsequently proceeded to hear arguments on the application for condonation of delay without deciding the application filed by the petitioner seeking recall of the order dated 16.01.2024. The petitioner herein is the plaintiff before the



learned Trial Court.

4. After making some submissions, learned counsel for the petitioner seeks permission to withdraw the present petition as the application seeking condonation of delay / review petition is yet to be decided by the learned Trial Court and also seeks liberty to file afresh as per law, if required.
5. Permission granted to withdraw with liberty as prayed for.
6. Accordingly, the present petition along with pending application is disposed of.

SHALINDER KAUR, J.

MARCH 13, 2024/ss