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

+ **CM(M) 2152/2024**

NAVIN KUMAR GUPTA

..... Petitioner

Through: Ms. Kanika Singh, Mr. Tandeep
Singh and Mr. Nikhil Saini, Advs.

versus

UNION OF INDIA

..... Respondent

Through: Mr. Prashant Manchanda, ASC with
Ms. Nancy Shah and Mr. Angad
Singh, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

18.03.2024

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CM APPL. 16750/2024—Exp.

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

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3. The present petition under Article 227 of the Constitution of India, 1950 read with Section 151 Civil Procedure Code, 1908 (“CPC”) has been filed impugning the orders dated 17.10.2023 and 20.02.2024 passed by the learned District Judge (Commercial Court), South district, Saket Courts, New Delhi, in Execution Petition No.06/2022 titled as “*Navin Kumar Gupta vs. Union of India*”, whereby the learned Trial Court vide order dated 17.10.2023 imposed cost of Rs. 10,000/- upon the decree holder which was directed to be deposited with the Saket Bar Association Welfare Fund. Due to non-compliance of the above-mentioned order, the learned Trial Court on



the next date of hearing i.e. 20.02.2024 further imposed cost of Rs. 40,000/- upon the decree holder which was directed to be deposited with Prime Minister's National Relief Fund moreover, in case of non-deposition of cost, SDM concerned was directed to seize the bank account and property of the decree holder for realization of cost.

4. After making some submissions, the learned counsel for the petitioner submits that the petitioner is willing to deposit the cost of Rs.10,000/- imposed by the learned Trial Court vide order dated 17.10.2023. However, the cost of Rs. 40,000/- imposed vide order dated 20.02.2024 be waived off. With such limited relief, the petitioner seeks to withdraw the present petition.

5. Learned counsel for respondent appears on advance notice and submits that he has no objection.

6. In view of the submissions made hereinabove, the petitioner is directed to pay the cost imposed on 17.10.2023 by the learned Trial Court within a week however, the cost imposed vide order dated 20.02.2024 stands waived off.

7. Permission to withdraw the petition is granted.

8. In view of same, the petition consequently stands disposed of.

SHALINDER KAUR, J

MARCH 18, 2024
SDS