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

+ **CM(M) 2345/2024**

SHRI RAM SKILL AND EDUCATION LTD Petitioner

Through: **Mr. Akshar Bhatt, Adv.**

versus

DHRUB RAJ SHARMA & ANR. Respondents

Through: **None.**

CORAM:
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **16.04.2024**

CM APPL. 22117/2024—Exp.

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

CM(M) 2345/2024, CM APPL. 22116/2024—stay

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 12.03.2024 passed by the learned ADJ-01, South-East District, Saket Court, New Delhi in CS DJ No. 556/2018 titled as “Dhrub Raj Sharma vs. M/s Shriram New Horizons Limited & Anr.” whereby the learned Trial Court did not afford an opportunity to the petitioner to address final arguments as certified copies were not made available. The petitioner herein is the defendant before the learned Trial Court.

4. Learned counsel for the petitioner submits that the application for



certified copies was filed on 06.02.2024, which has not been made available to him by Copying Agency till date. The said fact was brought to the notice of the learned Trial Court, however, same did not favour with the learned Trial Court and the learned Trial Court after observing that an opportunity was granted to the counsel for the defendant to address final arguments, who had sought an adjournment and therefore, the matter was listed for orders.

5. Learned counsel further submits that there is a fresh development before the learned Trial Court on 05.04.2024, the orders could not be pronounced as the application for correction / modification of order dated 12.03.2024 was filed by the applicant, who was erstwhile defendant no. 2 before the learned Trial Court and the matter has been listed for 10.05.2024 with respect to the said application.

6. In these circumstances, as the case is no longer listed before the learned Trial Court for orders / judgment, therefore, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to make submissions as stated before this Court in the petition before the learned Trial Court.

7. Permission granted to withdraw with liberty as per law as prayed for.

8. Accordingly, the present petition along with the pending applications is disposed of.

SHALINDER KAUR, J.

APRIL 16, 2024/ss