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

+ **CM(M) 2353/2024**

NASEEM KHAN

..... Petitioner

Through: Mr. Sanjay Kumar, Adv.

versus

RAKESH KUMAR JAIN

..... Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **16.04.2024**

CM APPL. 22267/2024—Exp.

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

CM(M) 2353/2024, CM APPL. 22268/2024—stay, CM APPL. 22269/2024—permission to file site plan and electricity bills

3. The present petition under Article 227 of the Constitution of India has been filed impugning the order dated 09.04.2024 passed by the learned SCJ-cum-RC, Central District, Tis Hazari Courts, Delhi in RC ARC No. 488/22 titled as “Rakesh Kumar vs. Naseem Khan” whereby the learned Trial Court dismissed the application moved on behalf of the petitioner seeking permission to file site plan on record. The petitioner herein is the respondent before the learned Trial Court.

4. Learned counsel for the petitioner submits that learned Trial Court has dismissed the application under Section 151 CPC whereby the petitioner



had wanted to place site plan on record after visiting the portion of the property, which is not in his possession.

5. Learned counsel submits that landlord has filed his site plan and the petitioner also wishes to file site plan along with some additional documents with respect to the same property within two weeks before the learned Trial Court and seeks permission to withdraw the present petition.

6. Permission granted to withdraw.

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

SHALINDER KAUR, J.

APRIL 16, 2024/ss