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

+ C.R.P. 90/2021

SUNITA

..... Petitioner

Through: Mr. Shekhar Prit Jha & Ms.
Preeti Kumari, Advocates.

versus

SATISH KUMAR & ORS.

..... Respondents

Through: Mr. Nikhil Beniwal, Advocate
for R-1 & R-2.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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02.02.2024

1. Learned counsel for the petitioner is assailing the impugned order dated 11.11.2021, passed by the learned Civil Judge-01, Central, Tis Hazari Courts, Delhi, whereby her application under Section 151 CPC for non-maintainability of the suit, was dismissed. It is submitted by learned counsel for the petitioner that the trial has reached its final stage and the matter is now listed for final arguments before the learned Trial Court tomorrow i.e. 03.02.2024.

2. Request is made by the petitioner to withdraw the present suit and agitate his legal rights before the learned Trial Court in the pending matter or in any other appropriate proceedings, as permitted under law.

3. Learned counsel for the respondent has no objection except that it is stated that no permission should be accorded for filing a fresh suit or legal proceedings on the same cause of action.



4. The present petition is dismissed as withdrawn with directions that any order passed in the present revision shall not come in the way of either of the parties to file appropriate legal proceedings, if permitted, against each other as per law.

5. Nothing contained herein shall tantamount to an expression of opinion on the merits of the case.

DHARMESH SHARMA, J.

FEBRUARY 2, 2024/sa