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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RC.REV. 248/2022**

PREM SINGHPetitioner

Through: Mr. J.K. Jain, Adv.

versus

AMIT KUMAR & ORS.Respondents

Through: Mr. Pawan Jakhu, Adv. for R-1.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

03.10.2024

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CM Appl.64050/2023/Under Section 151 of the CPC

1. Learned Counsel for the Respondents submits that a similar Application was filed by the Petitioner before the learned Trial Court and the Respondents had given their no objection to the said Application.

1.1 Learned Counsel for the Respondents, on instructions, submits that they have no objection if the present Petition against Respondent Nos. 2 to 5 is withdrawn against the said Respondents. He submits that Respondent Nos. 2 to 5 are not tenants, they are merely proforma parties.

2. The Application is accordingly allowed. Respondent Nos. 2 to 5 are deleted from the array of parties.

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3. The present Petition has been filed on behalf of the Petitioner impugning the order dated 24.08.2022 [hereinafter referred to as “the Impugned Order”] passed by the learned ARC (West), Tis Hazari Courts, Delhi. By the Impugned Order, the Application for Leave to Defend filed by the Respondent was allowed by the learned Trial Court.

4. Learned Counsel for the parties submit that the Petitioner’s evidence



has been closed and now only Respondents evidence remains.

5. Learned Counsel for the Respondents submits that although he has five witnesses, he will endeavour to ensure that his evidence is completed in the next four months. Learned Counsel for the Respondents is bound down to the statement.

6. Based on this submission, learned Counsel for the Petitioner, on instructions, submits that he is willing to withdraw the present Petition.

7. The Petition is accordingly dismissed as withdrawn. Both the parties submit that they shall not take unnecessary adjournments before the learned Trial Court.

8. Parties will act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

OCTOBER 3, 2024/r

Click here to check corrigendum, if any

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