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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ C.R.P. 3/2024 and CM APPL. 212/2024 (Stay)

TEJPAL SINGH Petitioner

Through: Mr. Avtar Singh, Adv.

versus

SUMAN MALHOTRA Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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04.01.2024

1. This is a civil revision petition under Section 115 of the Code of Civil Procedure, 1908 (CPC) moved on behalf of the petitioner/defendant in the suit pending before the learned Trial Court, assailing the impugned order dated 23.09.2023 passed by the learned ADJ-06, West District, Tis Hazari Courts, Delhi, whereby his application under Order VII Rule 11 CPC has been dismissed.
2. After some arguments, learned counsel for the petitioner submits that he may be allowed to withdraw the present petition with liberty to raise the legal issues regarding the maintainability of the suit as also the suit being without any cause of action before the learned Trial Court at the appropriate stage of the trial.
3. Accordingly, the present revision petition is dismissed as withdrawn.

DHARMESH SHARMA, J.

JANUARY 4, 2024

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