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

+ **CM(M) 3822/2024**

DR ISHA PREET TULI

.....Petitioner

Through: Ms. Sunita Ojha, Adv.

versus

SHANTANU MANDAL AND ORS

.....Respondents

Through: Dr. T. R. Naval & Mr. Aakash Naval,
Advs for R-1.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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14.11.2024

CM APPL. 66475/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

CM(M) 3822/2024

1. The petitioner is one of the defendants in the Civil Suit filed by respondent No.1 for grant of damages which is stated to be pending before the Court of District Judge-04, South District, Saket Courts, New Delhi.

2. It has been submitted by the learned counsel for the petitioner that an application under Order VII Rule 11 CPC for rejection of the plaint has been filed by petitioner herein. The said application is stated to have been filed on 13.09.2022. It has been further submitted that the said application is getting adjourned repeatedly and therefore, a request has been made for issuance of directions to the learned Trial Court to dispose of the said



application.

3. Learned counsel has drawn attention of this Court to the order dated 20.09.2024, vide which the Court had adjourned the application under Order VII Rule 11 CPC simply because of the reason that respondent No.1 sought time to move Contempt application before the High Court. The learned District Judge noted the submissions of respondent that argument on application under Order VII Rule 11 CPC be heard only after the application for Contempt, is disposed of. However, the learned Trial Court made no observation on such request and simply adjourned the matter for 12.12.2024.

4. Learned counsel representing the respondent submits that he has no objection in case the application under Order VII Rule 11 CPC is disposed of by the learned Trial Court without waiting for the decision in the Contempt application.

5. Having considered the aforesaid submissions, the petition is disposed of with direction to the learned Trial Court to take up the application under Order VII Rule 11 CPC for disposal without awaiting the outcome of decision on the Contempt application.

RAVINDER DUDEJA, J

NOVEMBER 14, 2024

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