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

+ **CM(M) 3840/2024**

HARISH CHANDRA AGARWAL HUFPetitioner

Through: Ms. Radhika Goel, Adv

versus

CAPRISO FINANCE LTDRespondent

Through: Ms. Aggarwal, Adv

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **18.11.2024**

CM APPL. 66890/2024 & CM APPL. 66891/2024 (Exemption)

Allowed, subject to all just exceptions.

Both the applications stand disposed of.

CM(M) 3840/2024 & CM APPL. 66889/2024 (Stay)

1. The petitioner impugns the order dated 30.08.2024 passed by the learned District Judge Commercial Court-02, Tis Hazari Court, Delhi.
2. The petitioner is the defendant in the Suit for Recovery filed by the plaintiff.
3. The petitioner filed an application under Order VII Rule 7 CPC before the learned Trial Court raising the objections with regard to the lack of jurisdiction, limitation and non-filing of the suit through authorized person.
4. The learned District Judge vide impugned order kept all the contentions pending, directing that proper issues would be framed regarding the aforesaid contentions raised by the defendant.



5. Learned counsel appearing for the respondent submits that issues have since been framed by the learned Trial Court vide order dated 19.09.2024 including the issues regards the limitation, jurisdiction as also with regard of filing of the case through duly authorized person.

6. At this stage, learned counsel for the petitioner submits that she does not want to press the present petition and seeks permission to withdraw the present petition. The statement made by learned counsel for the petitioner is taken on record and the petition is accordingly dismissed as withdrawn.

RAVINDER DUDEJA, J

NOVEMBER 18, 2024

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