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

+ **C.R.P. 380/2024**

AJIT SINGH S/O. LATE SH. RAM NATH & ORS.....Petitioners

Through: **Mr. Ravikesh K. Sinha, Advocate.**

versus

NARESH KUMAR

.....Respondent

Through: **None**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **17.12.2024**

CM APPL. 73767/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The Application stands disposed of.

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3. The Revision Petition under Section 115 of the *Code of Civil Procedure, 1908* ('CPC' hereinafter) has been filed on behalf of the Petitioners, against the Order dated 24.09.2024 in CS SCJ No. 1266/2023 whereby the Application under Order 7 Rule 11 CPC, filed by the Petitioners/Defendants, has been dismissed.

4. The Plaintiff/Respondent had filed a Suit for Permanent Injunction for restraining the Revisionists/Defendants, from obstructing their access to the roof. The Revisionists/Defendants had taken a plea that the roof was not ever in their tenancy as is also reflected from various earlier litigations undertaken between the parties. The Defendants want to confront the



Plaintiff with the admissions made in the previous litigations.

5. After some arguments, learned counsel on behalf of the Petitioners, seeks permission to withdraw the present Revision Petition, with liberty of moving an appropriate Application at the relevant stage.

6. The Revision Petition is permitted to be withdrawn.

7. The Revision Petition is disposed of accordingly with liberty as prayed for.

NEENA BANSAL KRISHNA, J

DECEMBER 17, 2024/RS