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

+ C.R.P. 261/2018 & CM APPL. 51456/2018

THARVINDER SINGH & ORS

.....Petitioners

Through: Mr.Prashant Diwan, Ms.Sonali
Harish and Mr.Mayank Verma,
Advocates

versus

VIRESH CHOPRA

.....Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH

ORDER

14.08.2024

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1. Learned counsel appearing on behalf of the petitioners submitted that a civil suit bearing No.10118/2016 has already been rejected by the learned Trial Court vide order dated 23rd December, 2023, however, the plaintiff has filed a review petition against the aforesaid order before the learned Trial Court which is still pending.

2. It is submitted that the captioned revision petition has been filed challenging the impugned order dated 14th September, 2018 passed by the learned Trial Court disposing of the application under Order VII Rule 11 of the Code of Civil Procedure, 1908 filed by the petitioners/defendants. It is further submitted that since the civil suit bearing No.10118/2016 has already been rejected by the learned Trial Court, nothing survives for further adjudication in the captioned petition.



3. Learned counsel appearing on behalf of the petitioners submitted that since the review petition is still pending before the learned Trial Court and if the same is allowed, the rejected suit challenging the impugned order dated 14th September, 2018 may also stands revived.
4. In view thereof, learned counsel appearing on behalf of the petitioners seeks leave to withdraw the captioned petition with liberty to file afresh, in case the review petition pending before the learned Trial Court is allowed and the rejected suit is revived.
5. Heard learned counsel appearing on behalf of the petitioners.
6. Leave granted.
7. The petition alongwith pending application stands dismissed as withdrawn with liberty as prayed for.

CHANDRA DHARI SINGH, J

AUGUST 14, 2024

Dy/sm

[Click here to check corrigendum, if any](#)