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

+ **CM(M) 104/2024 & CM APPL. 3021/2024**

HARISH KUMAR AHUJA

.....Petitioner

Through: Mr. Ujjwal Jha, Advocate.

versus

SANJEEV AHUJA

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **13.05.2025**

1. Petitioner is sole defendant in the suit in question and is aggrieved by order dated 17.11.2023 whereby his request for placing on record certain additional documents has been declined.
2. It has, however, been apprised that when the abovesaid suit was taken up by learned Trial Court on 16.12.2024, since there was no appearance from the side of plaintiffs, the suit was *dismissed-in-default* and for *non-prosecution*.
3. A certified copy of order dated 16.12.2024 has also been shown.
4. The same is retained and be made part of the record.
5. Learned counsel for the petitioner submits that so far, there is no request for restoration of the suit and, therefore, he submits that at the moment, the petitioner is not interested in pursuing with the present petition. He, however, submits that if the abovesaid suit is, eventually, restored by the learned Trial Court, the petitioner may also be permitted to revive the present petition.
6. In view of the above, the present petition is disposed of as not pressed.

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7. Liberty as prayed is granted and it is made clear if the abovesaid suit is restored, the petitioner herein would be permitted to revive the present petition also.

MANOJ JAIN, J

MAY 13, 2025/sw/JS