



2025:DHC:2949



\$~48

* **IN THE HIGH COURT OF DELHI AT NEW DELHI*****Date of Decision: 22.04.2025***+ **C.R.P. 33/2025 & CM APPL. 6014/2025****SH. N. K. TRIPATHI**

.....Petitioner

Through: Mr. Sajan K. Singh and Ms. Sangeeta
Singh, Advocates

versus

M/S RAGHAV ADITYA CHITS PVT. LTD.

.....Respondent

Through: None.

CORAM:**HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**

1. The present Petition has been filed under Section 115 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] seeking to challenge the Order dated 11.11.2024 passed by the learned District Judge (Commercial Court)-03, South West District, Dwarka Courts, New Delhi in CS(COMM) 77/23 titled *M/s Raghav Aditya Chits Pvt. Ltd. v. Sh. N.K Tripathi* [hereinafter referred to as "Impugned Order"]. By the Impugned Order, an Application under Order VII Rule 11 CPC read with Section 151 of the CPC filed by the Petitioner (Defendant No.1 before the learned Trial Court) was disposed of.

2. Since the suit as filed by the Respondent/Plaintiff was a commercial suit, the remedy of revision as provided under Section 115 CPC is not applicable. Section 8 of the Commercial Courts Act, 2015 bars a revision against interlocutory orders passed by the Commercial Courts.



2025:DHC:2949



3. Learned Counsel appearing on behalf of the Petitioner seeks to withdraw the present Petition with liberty to raise all contentions before the learned Trial Court.
4. In view of the above, the Petition is dismissed as withdrawn. The liberty as sought for is granted. The pending Application stands closed.

TARA VITASTA GANJU, J

APRIL 22, 2025

g.joshi/jn

Click here to check corrigendum, if any