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

+ **CM(M) 244/2025**

JITENDER SINGH AND OTHERS

.....Petitioner

Through: Ms. Pooja Singh, Mr. Bankim K.
Kulshrestha, Ms. Manjusha Shegal
and Mr. Anil Gupta, Advocates.

versus

ASHOK NISCHAL

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

08.04.2025

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CM(M) 244/2025 & CM APPL. 20742/2025 (for withdrawal)

1. The petitioner was defending a commercial suit and had filed an application under Order VII Rule 11 CPC which was dismissed on 09.01.2025. It was a composite order, as by virtue of the abovesaid order, learned Trial Court has also disposed of the application filed by the plaintiff under Order XXXIX Rule 1 and 2 read with Section 151 CPC.
2. The notice was issued returnable 18.08.2025.
3. However, in the interregnum, there is a development as learned Trial Court has passed an admission decree against the defendant (petitioner herein) *vide* order dated 05.03.2025.
4. In view of abovesaid subsequent development, the petitioner has moved the present application seeking withdrawal of present petition.

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He also submits that appropriate appeal shall be filed against the abovesaid decree and, if required, the order, which is impugned herein, would also be challenged in such appeal.

5. In view of the above, while allowing the abovesaid application, the main petition is disposed of as not pressed. The petitioner would be at liberty to take appropriate steps in accordance with law.

6. The next date of 18.08.2025 stands cancelled.

MANOJ JAIN, J

APRIL 8, 2025
st/pb