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

+ **C.R.P. 99/2024 & CM APPL. 15266/2024**

PANKAJ SINGHAL

.....Petitioner

Through: Mr. Ankur Aggarwal, Mr. Kunal
Kalra & Mr. Nitin Sharma, Advs.

versus

CHOLAMANDALAM MS GENERAL INSURANCE COMPANY
LTD

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

08.10.2025

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1. The present Petition has been filed on behalf of the Petitioner under Section 115 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] against the order dated 15.01.2024 passed by learned Civil Judge-06, Central District, Tis Hazari Courts, Delhi [hereinafter referred to as "Impugned Order"]. By the Impugned Order, the Application under Order XXXIX Rule 1 and 2 of the CPC as filed by the Petitioner/Defendant has been dismissed by the learned Trial Court.
2. An order under XXXIX Rule 1 and 2 of the CPC is amenable to challenge in terms of Order XLIII Rule 1 (v) of the CPC by an Appeal and not revisionary jurisdiction.
3. After some arguments, the learned Counsel seeks and is granted permission to withdraw the present Petition with liberty to file an



appropriate proceedings in accordance with law for redressal of his grievances.

4. The Petition is dismissed as withdrawn with liberty as prayed for. All pending application also stands closed.

5. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

OCTOBER 8, 2025/ ha/SU