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

+ **TR.P.(C.) 43/2025**

AMIT JAIN

.....Petitioner

Through: None.

versus

ANILA JAIN

.....Respondent

Through: Mr. O. P. Aggarwal and Mr. Ashish
Aggarwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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09.07.2025

No one is present on behalf of the petitioner when the matter is called-out.

CM APPL. 39790/2025

2. By way of the present application filed under section 151 of the Code of Civil Procedure 1908, the applicant/respondent seeks dismissal of the transfer petition, submitting that the petition has been rendered infructuous since CS(OS) No. 82/2025, which was the subject matter of the prayer, has since been disposed-of by a Co-ordinate Bench of this court.
3. Mr. O. P. Aggarwal, learned counsel is present on behalf of the respondent and submits, that *vide* judgment dated 04.07.2025 the Co-ordinate Bench of this court has rejected the plaint in CS(OS) No.82/2025 on an application under Order VII Rule 11(a) and (d) CPC for not disclosing a cause of action and being time-barred.
4. A copy of judgment dated 04.07.2025 has been appended to the application.



5. In view thereof there is substance in the submission made by Mr. Aggarwal.
6. The application is accordingly allowed.

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7. In view of the above, the present petition is dismissed as having been rendered infructuous.
8. Needless to add, the petitioner shall be at liberty to seek appropriate relief by way of transfer if judgment dated 04.07.2025 is varied or set-aside.
9. The petition stands disposed-of.
10. Pending applications, if any, also stand disposed-of.
11. The date of 16.07.2025 given earlier, stands cancelled.

ANUP JAIRAM BHAMBHANI, J

JULY 9, 2025

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