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

+ **CM(M) 658/2025 & CM APPL. 20681-20682/2025**

JAGDEV CHAWLA

.....Petitioner

Through: Ms. Neha Malhotra, Adv.

versus

SH. KAMAL JAIN

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **30.07.2025**

1. Petitioner was defendant in a suit filed by Mr. Kamal Jain who seeks possession, recovery of rent, *mesne* profit, damages and injunction.
2. Challenge in present petition is to the order dated 03.02.2025 whereby learned Trial Court has dismissed application of defendant whereby defendant wanted to examine five witnesses.
3. Learned counsel for petitioner, however, submits that after passing of abovesaid order, there is significant development, as learned Trial Court has proceeded further with the suit and the judgment and decree has been passed against petitioner herein on 30.06.2025. Petitioner has also filed an appeal being RFA 675/2025 challenging such judgment and decree.
4. She submits that in view of the above peculiar subsequent development, she does not wish to press present petition and the order dated 03.02.2025 which is impugned herein would also be referred to in abovesaid

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appeal in terms of Section 105 of CPC.

5. In view of above, present petition is disposed of as not pressed.
6. All rights and contentions of the parties are reserved.
7. Pending applications, if any, also stand disposed of in aforesaid terms.

MANOJ JAIN, J

JULY 30, 2025/ck/SS