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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 693/2025**
MAM CHAND @ M.C. MAHESH

.....Petitioner

Through: Petitioner in person.

versus

SHRI VIJAY KUMAR KHANNA AND ORS

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
19.05.2025

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CM APPL. 30399/2025 (for recall order dated 17.04.2025)

1. The present petition was disposed of by this Court vide judgment dated 17.04.2025 whereby this Court had observed that since efficacious remedy was available to the petitioner by filing an appeal against the impugned order dated 09.01.2025, the petition was disposed of while granting liberty to the petitioner to file an appeal in accordance with law.
2. The petition now seeks recall of the abovesaid order and submits that the appeal is not maintainable and rather the present petition is very much maintainable.
3. The suit in question was rejected by the learned Trial Court under Order VII Rule 11 CPC and by way of deeming fiction in terms of Section 2(2) of CPC, such order amounts to decree and, therefore, this Court had observed that appeal was maintainable.
4. Petitioner/applicant, now by moving the abovesaid application is

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seeking fresh decision/re-decision which is not permissible.

5. Finding no error apparent on face of record, this Court does not find any requirement of either reviewing the order or clarifying the order.
6. The application stands dismissed in aforesaid terms.

MANOJ JAIN, J

MAY 19, 2025/ss/pb