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

% **Date of Decision: 24th April, 2025**

+ **CM(M) 745/2025 & CM APPL. 24120-24121/2025**

SALEEM AHMAD

.....Petitioner

Through: Mr. Dinesh Kumar, Advocate
(Through VC)

versus

SUDARSHAN KUMAR JOSHI & ANR.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

CM APPL. 24120/2025 (exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 745/2025 & CM APPL. 24121/2025

1. Petitioner is aggrieved by the manner in which the suit has been dismissed. It is submitted that without there being any framing of issues and without recording any evidence, suit has been dismissed and, therefore, it is a fit case where this Court should invoke its supervisory jurisdiction.
2. Fact, however, remains that as per order dated 26.03.2025, the suit has been dismissed and decree-sheet has also been directed to be prepared. Since there is final dismissal of the suit, the petitioner has a remedy by challenging such judgment and dismissal by filing a *Regular First Appeal*. As and when any such appeal is filed, all such aspects can always be considered by the First Appellate Court.



3. Since efficacious remedy of filing *Regular First Appeal* is available, the present petition is disposed of with liberty to the petitioner to take steps to file appeal before the competent Court of jurisdiction.
4. All the rights and contentions of the parties are reserved.

(MANOJ JAIN)
JUDGE

APRIL 24, 2025/dr/shs