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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 749/2025 & CM APPL. 24242/2025**
SUSHILA DEVI & ORS.Petitioner

Through: Mr. Akshay Chowdhary and Mr.
A.k.Chowdhary, Advocates

versus

PUSHPA GOYAL & ORS.Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **18.08.2025**

1. Petitioners are defendant Nos. 1 and 2 before the learned Trial Court and are aggrieved by order dated 17.12.2024, whereby plaintiff Ms. Pushpa Goyal has been permitted to amend her suit.
2. The amendment application was, however, allowed, subject to cost of Rs. 30,000/-.
3. Learned Counsel for the petitioner informs that when the abovesaid suit was taken up by learned Trial Court on 11.07.2025, noticing that there was no appearance from the side of plaintiff and that the cost had not been paid cleared either, the abovesaid application seeking amendment in the plaint has now been dismissed.
4. Copy of the order dated 11.07.2025 has been sent through e-mail and is directed to be made part of the portfolio file.
5. Learned counsel for the petitioner submits that in view of the above, at the moment, the petitioners are left with no grievance in the matter.
6. It is, however, prayed that in case, on any subsequent date of hearing,

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the plaintiff moves an application seeking payment of cost and any indulgence is shown to the plaintiff by the learned Trial Court and the amendment allowed *vide* order dated 17.12.2024 is restored, the petitioner herein may also be granted liberty to revive the present petition with request to incorporate any further fact or prayer in relation to the abovesaid amendment/payment of cost only.

7. None appears on behalf of respondent No.1 despite advance notice.
8. Be that as it may, in view of the above, the present petition is hereby disposed of as not pressed. Liberty, as prayed, is also granted.
9. Pending application also stands disposed of.

MANOJ JAIN, J

AUGUST 18, 2025/sw/SHS