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

+ **FAO 115/2025**

SHRI RAJESH KUMAR MALHOTRAAppellant

Through: Mr. Shiv Charan Garg, Mr.
Imran Khan & Ms. Jahanvi
Garg, Advs.

versus

**THE NORTH DELHI MUNICIPAL CORPORATION OF
DELHI & ORS.**Respondents

Through: Mr. Manoj Kr. Sharma, ASC
for R1.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.04.2025

CM APPL. 25751/2025 (EXMP.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CM APPL. 25752/2025

3. This application has been moved on behalf of the applicant/appellant seeking condonation of delay of 23 days in re-filing the appeal.
4. For the reasons stated in the application, the same is allowed.
5. The application stands disposed of.

FAO 115/2025

6. This appeal has been preferred by the appellant/plaintiff assailing the impugned order dated 23.01.2025 passed by the learned District Judge-12, Central District, Tis Hazari Courts, Delhi whereby the application filed by the respondent/defendant no.2&3 under Order

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XXXIX Rule 4 of the Code of Civil Procedure, 1908 was allowed and



the *status quo* orders passed earlier by the learned predecessor of the same court dated 07.04.2021 and 16.07.2021 were vacated.

7. Learned counsel for the respondent no.1 is present on advance notice.

8. No one is present for the respondent no.2 to 4 despite sending advance notice.

9. After advancing some arguments, learned counsel for the appellant/plaintiff requests permission to withdraw the present appeal stating that he would seek another appropriate remedy by way of filing a review petition before the learned court in the light of certain additional documents that may be filed during the course of the proceedings.

10. The present appeal is dismissed as withdrawn. All pending applications stand disposed of.

DHARMESH SHARMA, J.

APRIL 30, 2025
Ch/Es

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