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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) 74/2025**
VIPUL AGGARWALAppellant
Through: Mr.Ravinder Malik, Adv.

versus

MANJU AGGARWAL & ANR.Respondents
Through: Mr.Rajeev Aggarwal,
Mr.Mayank Kamra, Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE RENU BHATNAGAR

% **ORDER**
07.07.2025

CM APPL. 39097/2025 (Exemption)

1. Allowed, subject to all just exceptions.

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2. This appeal has been filed, challenging the Order dated 29.04.2025 passed by the learned Single Judge of this Court in I.A.No. 10737/2025 in CS(OS) no. 882/2023, dismissing the said application filed by the appellant herein under Section 151 of the Code of Civil Procedure, 1908 (in short, 'CPC'). By the said application, the appellant had prayed for recall of the order dated 18.12.2024.

3. The learned Single Judge has dismissed the said application stating that the application is in fact drafted like an appeal and is seeking review of the Order dated 18.12.2024 in the garb of application seeking recall.

4. We note that the Order dated 18.12.2024 has not been



challenged by the appellant before us. As far as the Impugned Order is concerned, we find no infirmity in the said Order. It is settled law that the applicant, in the garb of an application seeking clarification or recall, cannot circumvent the provision of Order XLVII Rule 1 of the CPC and seek the review of the Order already passed.

5. The learned counsel for the appellant submits that he had earlier filed an appeal seeking to challenge the Order dated 18.12.2024 but the Registry did not list the same.

6. We find that the above submission is not acceptable. The appellant could have requested the Registry to place the appeal before this Court subject to the objection. We cannot today make a guess as to what was the reason behind the Registry not placing the said appeal before us.

7. Accordingly, we find no merit in the present appeal. The same is dismissed.

NAVIN CHAWLA, J

RENU BHATNAGAR, J

JULY 7, 2025/Arya/ik

[Click here to check corrigendum, if any](#)