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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CM(M) 1651/2025, CM APPL. 53910/2025 & CM APPL. 53911/2025  
SUMERPAL SINGH .....Petitioner

Through: Mr. Aatreya Singh, Advocate.  
versus

SHRI K S SAINI .....Respondent

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**

% **28.08.2025**

1. Petitioner is defending a suit which seeks possession, declaration, cancellation of documents, injunction and recovery of damages.
2. After framing of issues, when the case was put to trial, the defendant moved an application under Order VII Rule 11 CPC and the grievance in the present petition is limited to the dismissal of such application.
3. After hearing arguments for some time, learned counsel for petitioner, without prejudice to his rights and contentions, does not press the present petition. He, however, submits that the defendant had, merely, availed his legal remedy and there were never any delaying tactic or ulterior motive when the abovesaid application under Order VII Rule 11 CPC was moved and, therefore, the petitioner herein should not have been burdened with a cost of Rs. 20,000/- .
4. He, therefore, submits that the abovesaid cost may, at least, be waived.
5. After having gone through the averments appearing in the plaint, the impugned order and arguments addressed today, the present petition is disposed of as not pressed with the further direction that the cost of 20,000/- shall stand waived.
6. It is, however, expected that the petitioner i.e. defendant would extend his best cooperation to the learned Trial Court so that the learned Trial Court is in a position to dispose of the suit in an expeditious manner.

**MANOJ JAIN, J**

**AUGUST 28, 2025/sw/JS**