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

CM(M) 1955/2025

UDIT BANSAL

.....Petitioner

Through: Mr. S.N. Gupta, Ms. Perna
Chaturvedi, Ms. Aditi Aggarwal,
Advocates.

versus

MANJU BANSAL & ORS.

.....Respondents

Through: None

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+ TR.P.(C.) 167/2025, CM APPL. 56359/2025

UDIT BANSAL

.....Petitioner

Through: Mr. S.N. Gupta, Ms. Perna
Chaturvedi, Ms. Aditi Aggarwal,
Advocates.

versus

MANJU BANSAL & ORS.

.....Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

06.11.2025

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1. Learned counsel for the petitioner seeks to withdraw the petition i.e., TR.P.(C.) 167/2025 since the order dated 03.08.2023 has been challenged by the petitioner by virtue of the present petition being CM (M) 1955/2025.

2. By virtue of the present petition, the petitioner seeks to challenge the order dated 03.08.2023 passed by the learned ADJ-02/(SE), District Courts, Saket, New Delhi as also the subsequent order dated 07.08.2023



passed by the learned Principal District and Session Judge, District South East, Saket Courts, New Delhi pursuant thereto.

3. Succinctly put, it is the case of the petitioner that the suit being CS (COMM) 155/2019 has wrongly been transferred from a non-Commercial Court to the Commercial Court, since the *lis* therein does not involve a commercial dispute.

4. To substantiate the above, learned counsel for the petitioner has drawn the attention of this Court to the order dated 03.08.2023 passed in the suit being CS (COMM) 155/2019 to show that the respondents/defendants therein have already been proceeded *ex-parte* as also the order dated 12.08.2025 passed by the learned District Judge (Commercial Court-01) SE/Saket/New Delhi, whereby all the contentions raised by the petitioner herein have been addressed.

5. For the reasons stated, upon the petitioner taking requisite steps within a period of *one week*, issue notice to the all the respondents, through all permissible modes including *via* publication in the newspapers namely '*The Statesman*' and the '*Veer Arjun*', since the respondent has already been proceeded *ex-parte* before the learned Trial Court, returnable on 11.02.2026.

6. Reply(s), if any, be filed by the respondents within a period of *four weeks*. Rejoinder thereto, if any, be filed within a period of *two weeks* thereafter.

7. Accordingly, renotify on 11.02.2026.

SAURABH BANERJEE, J

NOVEMBER 6, 2025/So