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

+ **RFA(COMM) 429/2024**

SANJAY

.....Appellant

Through: **Mr. Ashwini Kumar Mishra,**
Adv. with Appellant in-person

versus

KESHAV RAJ PANDEY AND ANR.

.....Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN
SHANKAR

ORDER

23.07.2025

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1. The present Appeal has been filed by the Appellant under Section 13(1A) of the Commercial Courts Act, 2015 read with Section 96 of the Code of Civil Procedure, 1908 seeking to challenge an order dated 07.09.2024 passed by Ld. District Judge (Commercial Court), Central/Tis Hazari Courts, Delhi in CS (COMM) No.766/2023 captioned ***Sanjay vs. Keshav Raj Pandey & Anr***, whereby a suit for specific performance of the oral agreement to sell filed by the Appellant was dismissed.

2. Learned counsel representing the Appellant submits that the Respondents have taken over the possession of the suit property in execution of the suit for specific performance of the oral agreement to sell filed by the Appellant.

3. Learned counsel representing the Appellant seeks permission of the Court to withdraw the present Appeal with liberty to apply for



refund of the court fee.

4. The Appeal is accordingly dismissed as withdrawn.
5. The Appellant shall take appropriate steps to apply for refund of court fee, if permissible, in accordance with the law.

ANIL KSHETARPAL, J.

HARISH VAIDYANATHAN SHANKAR, J.

JULY 23, 2025/jn/pl