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

+ **CM(M) 1843/2025, CM APPL. 59251/2025 & 59250/2025**  
NIRMLA DEVI .....Petitioner

Through: Mr. Sunil Kumar Jain, Advocate  
versus

M/S MOTI LAL AND SONS .....Respondents

Through: Mr. Anuj Jain, Advocate

**CORAM:**

**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**

% **18.09.2025**

1. Petitioner has assailed order dated 08.05.2025 of the learned trial court, whereby application under Order IX Rule 13 CPC was allowed and *ex-parte* decree was set aside subject to the petitioner depositing with the court 50% of the principal decreed amount within two months. The said period of two months has obviously elapsed.
2. After addressing partly, learned counsel for petitioner seeks permission to withdraw this petition with liberty to move appropriate application before the trial court seeking extension of time to deposit the said amount.
3. The petition and accompanying applications are dismissed as withdrawn with liberty as sought. However, it is made clear that the application, if any, for extension of time to deposit the amount shall be decided by the learned trial court independent of this order.

**GIRISH KATHPALIA, J**

**SEPTEMBER 18, 2025/as**