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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 1874/2025, CM APPL. 60175/2025 & CM APPL. 60176/2025**

SH. GHASI LAL SHARMA

.....Petitioner

Through: Mr. Deepesh Gauba and Mr.
Karandeep Singh Rekhi, Advocates.

versus

M/S MAA CHINTPURNI AUTO

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

22.09.2025

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1. The petitioner has assailed order dated 13.08.2025 passed by the learned District Judge (Commercial Court), whereby the joint application of parties for referral of the dispute to mediation was dismissed and observing that despite directions dated 27.03.2025, the petitioner/defendant did not file evidence affidavit, the defendant's evidence was closed in commercial suit.
2. After addressing partly, learned counsel for petitioner on instructions seeks permission to withdraw this petition with liberty to move appropriate application before the trial court, pointing out that according to him, the observation in the impugned order: "*infacts, right to lead defendant evidence is closed*" is contrary to the record of the Local Commissioner.
3. Accordingly, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

SEPTEMBER 22, 2025/ry