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

+ **CM(M) 1990/2025, CM APPL. 64585/2025 & 64584/2025**

AMITA SHARMA & ORS.

.....Petitioners

Through: Counsel for petitioners (*appearance not given*)

versus

ANITA LUTHRA & ORS.

.....Respondents

Through: Mr. Vikram Saini, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

14.10.2025

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1. Petitioners have assailed order dated 20.09.2025 passed by the District Judge (Commercial) Court-3, whereby their application under Order VII Rule 11 CPC was dismissed.
2. Broadly speaking, the suit was originally filed against only one defendant (*respondent no.3*) and thereafter the present petitioners got themselves impleaded as defendants no. 2-4. As regards defendant no.1, admittedly, the pre-institution mediation was carried out. As regards the present petitioners, there was no scope of pre-institution mediation because they joined the proceedings midstream. Learned trial court also took a view that in case the present petitioners contend that they were initially not impleaded in the suit out of *malafide*, the same would be a matter of trial and the plaint cannot be rejected.



3. After addressing partly, learned counsel for petitioners on instructions seeks permission to withdraw the petition. Accordingly, the petition and accompanying applications are dismissed as withdrawn.

GIRISH KATHPALIA, J

OCTOBER 14, 2025/ry