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

+ **CM(M) 2053/2025**

SMT. KIRAN DUTT

.....Petitioner

Through: Mr. Ram Prakash Sharma, Advocate

versus

SMT KAMLESH GUPTA AND OTHERS

.....Respondents

Through: Mr. Sachin Gupta, Mr. Rohit Pradhan
and Ms. Diksha Tekriwal, Advocates
for R1

Mr. Rishab Raj Jain, Standing
Counsel for R-10

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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28.10.2025

CAV 407/2025

1. In view of appearance of the respondents through counsel in present petition, the caveat stands discharged.

CM(M) 2053/2025, CM APPL. 66737/2025 & CM APPL. 66736/2025

2. Petitioner has challenged order dated 18.09.2025 of the learned trial court, whereby her application for condonation of delay in filing Written Statement was dismissed.

3. After addressing partly, learned counsel for petitioner on instructions seeks permission to withdraw this petition with liberty to raise the issue of maintainability of the suit by filing an application under Order VII Rule 11 CPC before the trial court.



4. Accordingly, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

OCTOBER 28, 2025/as