



2025:DHC:9442



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

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Date of Decision: 29.10.2025

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CM(M) 2054/2025 & CM APPL. 66925/2025

PARVEEN SOOD & ORS.

.....Petitioner

Through: Mr. Ravi Chawla, Mr. Ritwik
Chawla, Mr. A. Munjal & Mr. Vivek
Luthra, Advocates

versus

ASHOK KUMAR SOOD (SINCE DECEASED THROUGH LRS)
AND ORS

.....Respondents

Through: Mr. Mukesh Goel, Advocate for R1
Mr. Ajay Kohli, Advocate for
R2,3,4&5

CORAM: JUSTICE GIRISH KATHPALIA**ORDER (ORAL)**

1. Petitioners/plaintiffs have assailed order dated 09.07.2025 of the learned trial court, whereby application filed by respondent no.1/ defendant no.1 raising issues pertaining to the bar of limitation, the bar under Section 34 of Specific Relief Act and the bar under Order XXIII Rule 1(4) CPC was dismissed.

2. At the outset, learned counsel for petitioners/plaintiffs seeks to confine this petition only to the extent of expunging paragraph 6 of the impugned order, whereby the learned trial court extended certain

CM(M) 2054/2025

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suggestions, on which the present respondent no.1/defendant no.1 acted and withdrew the petition under Article 227 Constitution of India pending earlier in this Court.

3. Learned counsel for all respondents accept notice and submit that there is no serious objection if this petition is allowed to the limited extent as aforesaid. Further, learned counsel for respondent no. 1/defendant no. 1 submits that petition under Article 227 Constitution of India was withdrawn even prior to the suggestions mentioned in paragraph 6 of the impugned order.

4. Considering the above circumstances, the contents of paragraph 6 of the impugned order to the extent of extending suggestions are expunged. Accordingly, with consent of all parties, the present petition stands disposed of. Pending application also stands disposed of.

5. At request of both learned counsel for respondents/defendants, it is made clear that this Court has not heard the issue on merits, so the learned trial court shall take independent view of the review application, including its maintainability, which is stated to be already filed before the learned trial court.

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KATHPALIA**

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**GIRISH KATHPALIA
(JUDGE)**

OCTOBER 29, 2025/as

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