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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2100/2025, CM APPL. 68695/2025, CM APPL. 68696/2025, CM APPL. 68697/2025 & CM APPL. 68694/2025**

RISHI MARWAH

.....Petitioner

Through: Mr. Rajiv Shukla and Mr. Gorang Goyal, Advocates with petitioner in person

versus

MEGHNA MARWAH & ANR.

.....Respondents

Through: Mr. S.S. Jauhar, Advocate

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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04.11.2025

1. Petitioner/plaintiff has assailed order dated 16.09.2025 of the learned trial court, whereby application of the petitioner/plaintiff to amend the prayer clause of the suit was dismissed. Broadly speaking, in the course of matrimonial discord, the petitioner/plaintiff filed a suit for injunction simpliciter against the present respondents. Subsequently, the petitioner/plaintiff filed an amendment application seeking to add relief of recovery of possession of the immovable property. The learned trial court took a view that there are no pleadings of cause of action to seek recovery of possession, so amendment could not be allowed.



2. Learned counsel for petitioner/plaintiff accompanied with petitioner/plaintiff in person specifically submits on the instructions of the petitioner/plaintiff that the petitioner/plaintiff has now been dispossessed of the immovable property and earlier, pleadings to that effect were not in the plaint.
3. In these circumstances, learned counsel for petitioner/plaintiff on instructions seeks permission to withdraw this petition with liberty to file fresh suit for recovery of possession of immovable property and other reliefs.
4. Accordingly, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

NOVEMBER 4, 2025/as