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

+ C.R.P. 310/2025 & CM APPL. 69572/2025

CAPTAIN (VETERAN) SHALINI SINGHPetitioner

Through: Mr. Gaurav Singh, Mr. Anuj
Singh, Advocates.

versus

MAJOR KULWANT SINGH DHAMIRespondent

Through: Mr. Mohan Kumar, Ms. Neetu
Singh, Mis. Ishika, Mr. Vishesh
Tyagi, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **20.11.2025**

1. The petitioner, who is the defendant in CS DJ/ADJ No. 590/2022, assails two orders dated 11.09.2025 and 02.03.2024 passed by the Trial Court.
2. The suit is filed by the respondent [plaintiff before the Trial Court] under Order XXXVII of the Code of Civil Procedure, 1908 ["CPC"], based upon an allegation that two cheques tendered by the petitioner-defendant were dishonoured.
3. By the first impugned order dated 02.03.2024, the Trial Court granted leave to defend to the petitioner-defendant, subject to conditions. The petitioner sought review by removal of those conditions, which was dismissed by the second impugned order dated 11.09.2025, alongwith an application filed under Order VII Rule 11 of CPC.



4. As far as grant of conditional leave to defend or dismissal of the review is concerned, revision under Section 115 of CPC is not maintainable in view of the proviso to Section 115(1) of CPC.
5. Mr. Gaurav Singh, learned counsel for the petitioner, submits that a revision petition was filed, as that is the remedy available in respect of dismissal of the application under Order VII Rule 11 of CPC.
6. However, after some argument, he seeks to withdraw this revision petition, with liberty to challenge the order dated 02.03.2024 and dismissal of the review by order dated 11.09.2025, on such grounds as may be available to the petitioner in law.
7. The petition, alongwith pending application, is dismissed as withdrawn with liberty as aforesaid.
8. It is made clear that this Court has not made any comments on the merits of the matter.

PRATEEK JALAN, J

NOVEMBER 20, 2025
'Bhupi'/AD/