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

+ **CM(M) 2152/2025, CM APPL. 70462-70463/2025**

SONI GUPTA

.....Petitioner

Through: **Mr. S.S. Panwar and Ms. Nividita
Panwar, Advocates.**

versus

GAURAV GARG

.....Respondent

Through: **Mr. Varun Mittal, Advocate
(Through VC) with Ms. Gunjan
Sansnwal, Advocate
(M-9953062629)**

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER
24.11.2025

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1. By virtue of the present petition, the petitioner seeks to challenge the order dated 15.09.2025 (*impugned order*) passed by the learned Judge, Family Court, North District, Rohini Courts, Delhi (*learned Family Court*) in HMA No.1589/2023 entitled *Sh. Gaurav Garg v. Smt. Soni Gupta*, whereby on the respondent's application under *Section 151* of the Code of Civil Procedure, 1908 (*CPC*), the names of 18 out of 22 of the petitioner's witnesses have been struck off.

2. After some arguments, in view of the provisions of *Order XVI Rule 1(3)* and *(4)* of the *CPC*, which is a legitimate right available to the petitioner, and is independent of the impugned order under challenge, learned counsel for the petitioner seeks to withdraw the present petition,



albeit, with liberty to move appropriate application(s) for summoning of witnesses, including, those whose names have been struck off by the learned Family Court *vide* the impugned order, before the learned Family Court in accordance with law.

3. Needless to say, this Court has not expressed anything on merits, the learned Family Court will be free to adjudicate the same on merits, in accordance with law.

SAURABH BANERJEE, J

NOVEMBER 24, 2025/NA