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

+ **CM(M) 2242/2025**

MOHAMMAD IQBAL

.....Petitioner

Through: Mr. Bahar U. Barqi, Advocate.

versus

SHRI SARDAR DALIP SINGH & ORS.

.....Respondents

Through: Mr. Arhum Sayeed and Mr. Rahil Ahmed, Advocates for R-2 & 3.

**CORAM:**

**HON'BLE MR. JUSTICE GIRISH KATHPALIA**

**ORDER**

% **20.11.2025**

**CM APPL. 72891/2025 (exemption)**

1. Allowed, subject to all just exceptions.

**CM(M) 2242/2025 & CM APPL. 72890/2025 (stay)**

2. Petitioner has assailed order dated 15.10.2025 of the learned trial court, whereby his application for impleadment under Order I Rule 10 CPC in the suit between the present respondent no.1 and the present respondents no.2 & 3 was dismissed.

3. It appears that the present respondent no.1 filed a suit for injunction seeking to restrain the present respondents no.2 & 3 from installing a shutter on the ground floor of the subject premises. When the suit reached the stage of final arguments, the present petitioner, a stranger to the suit sought his impleadment on the ground that the shutter planned to be installed is at the entrance of the staircase to the floors above the ground floor, some of which



are in possession of the present petitioner, therefore, the present petitioner would be a necessary party.

4. Learned counsel for respondents no.2 & 3 appearing on advance intimation makes a statement on behalf of his clients that at present, they do not intend to install any shutter at the entrance of staircase to the upper floors.

5. In view of the above statement of learned counsel for respondents no.2 & 3, the learned counsel for present petitioner on instructions, seeks permission to withdraw this petition with liberty to institute appropriate proceedings at appropriate stage, if so required.

6. As requested, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

**GIRISH KATHPALIA, J**

**NOVEMBER 20, 2025/dr**