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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CM(M) 4190/2024**  
**SUMIT KUMAR**

.....Petitioner

Through: Ms. Naomi Chandra, Advocate.

versus

**VIVEK VIRENDRA SINGH**

.....Respondent

Through: None.

**CORAM:**  
**HON'BLE MR. JUSTICE MANOJ JAIN**

**ORDER**

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**08.05.2025**

**CM APPL. 28111/2025 (Exemption)**

Exemption allowed, subject to all just exceptions.

**CM APPL. 28110/2025 (seeking directions)**

1. The petition in question was disposed of on 13.01.2025 and while disposing of the petition, the learned Trial Court was directed to expedite the disposal of the pending application moved under Order XV Rule 5 CPC after hearing arguments from both the sides.
2. The grievance herein is to the effect that the Court has yet not considered the abovesaid application and has rather entertained one application moved by the defendant under Order I Rule 10 CPC whereby he seeks to implead his wife with whom he is already having some matrimonial discord.
3. According to petitioner herein, the intent and objective of the defendant is to simply delay the disposal of the abovesaid application moved under

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Order XV Rule 5 CPC.

4. By virtue of the abovesaid application, the petitioner is, merely, seeking a direction to the defendant to deposit the admitted rent, and it seems that the application has to be considered as one filed under Order XVA CPC instead of Order XV CPC, as applicable to the State of Delhi.

5. The Court has also seen the order dated 15.04.2025 passed by the learned Trial Court which also indicates that the Court is mindful of the directions given by this Court.

6. The next date before the learned Trial Court is stated to be 23.05.2025 and the present application is disposed of with request to learned Trial Court to give requisite priority to the abovesaid application and to dispose of the same within three months from the date it takes it up, after giving due opportunity of hearing to both the sides.

7. Application stands disposed of in aforesaid terms.

**MANOJ JAIN, J**

**MAY 8, 2025/ss/pb**