



\$~46

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

+ **CM(M) 2455/2025, CM APPL. 80383/2025 & 80528/2025**

SH ASHOK KUMAR & ORS.

.....Petitioners

Through: Mr. Kirti Uppal, Senior Advocate
with Mr. Paran Kumar, Mr. Keshav
and Mr. Sundeep Srivastava,
Advocates

versus

SH SURENDER KUMAR DECEASED THROUGH LRS AND ORS

.....Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

%

19.12.2025

1. Petitioners have assailed order dated 13.12.2025 of the learned trial court, whereby the petitioners (*three of the six defendants*) were denied opportunity to call the remaining three defendants for cross-examination. The reason behind such denial was that those three defendants had opted not to step into the witness box.
2. Learned senior counsel for petitioners, on instructions, seeks permission to withdraw this petition with liberty to take appropriate steps before the learned trial court in accordance with law.
3. As requested, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

DECEMBER 19, 2025/as