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

+ **C.R.P. 150/2025, CM APPL. 31328/2025 & 31331/2025**

RAM KUMAR

.....Petitioner

Through: Mr. D. Sabharwal, Advocate.
versus

SANJEEV KUMAR

.....Respondent

Through:

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **01.08.2025**

CM APPL. 31329-30/2025 [Exemption]

1. Allowed, subject to just exceptions.
2. The Applications stand disposed of.

CM APPL. 31332/2025 [Delay in re-filing]

3. This is an Application filed on behalf of the Appellant seeking condonation of delay of 99 days in re-filing the present Appeal.
4. For the reasons as stated in the Application, the delay is condoned.
5. The Application stands disposed of.

C.R.P. 150/2025

6. The present Petition has been filed on behalf of the Petitioner under Section 115 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] against the order dated 21.11.2024 passed by learned Civil Judge-01, South West District, Dwarka Courts, New Delhi [hereinafter referred to as "Impugned Order"]. By the Impugned Order, an Application under Order



VII Rule 11 of the CPC filed by the Petitioner has been dismissed by the learned Trial Court.

7. The principal ground for challenge raised by the Petitioner is that the suit has not been correctly valued for the purposes of Court fee and that suit is not amenable under the pecuniary jurisdiction of the learned Civil Judge.

8. A review of the Application under Order VII Rule 11 of the CPC filed by the Petitioner shows that the same does not contain any contentions as to how the suit is barred on account of pecuniary jurisdiction. Learned Counsel for the Petitioner fairly concedes that the Application does not contain the requisite details.

9. After some arguments, learned Counsel for the Petitioner seeks and is granted permission to withdraw the present Petition with liberty to file an appropriate application before the learned Trial Court.

10. The Petition is dismissed as withdrawn with liberty as prayed for, *albeit* in accordance with law. All pending Application stands closed.

11. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

AUGUST 1, 2025/ ha