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

+ RFA 595/2013 & CM APPL. 39360/2025

SHRI DINESH KUMAR

.....Appellant

Through: Mr. Murari Tiwari, Mr. Rahul, Ms.
Indira Murthy, and Mr. Subramanyam
H., Advs.
Mob: 8882809725

versus

SHRI SURAJ BHAN

.....Respondent

Through: None.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

% **17.07.2025**

CM APPL. 39360/2025

1. The present application has been filed on behalf of the appellant under Section 151 of the Code of Civil Procedure, 1908 ("CPC") for withdrawal of the instant appeal.
2. This Court notes that the present appeal has been filed challenging the judgment dated 30th July, 2013, passed by the Additional District Judge ("ADJ"), Central District, Tis Hazari Courts, Delhi, in *Suit No. 84/2010*.
3. Learned counsel appearing for the appellant submits that the appellant has already instituted an Eviction Petition under Section 14(1)(e) of the Delhi Rent Control Act, 1958, which is pending adjudication before the Courts of Rent Controller.
4. Thus, it is submitted that the appellant does not wish to pursue the



present appeal.

5. Notice to the present application had been issued to the respondent on the last date of hearing.

6. Perusal of the office noting shows that the respondent has been served, however, none appears for the respondent when the matter is called out.

7. Accordingly, considering the submissions made before this Court, the present appeal is allowed to be withdrawn.

8. In view of the aforesaid, the present appeal, along with the pending application, is dismissed as withdrawn.

MINI PUSHKARNA, J

JULY 17, 2025

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