



\$~53

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

+ **CS(OS) 109/2022**

SHRI SANJEEV KUMAR

.....Plaintiff

Through: Ms. Neetu Gupta, Adv.

versus

SHRI RAJIV MALHOTRA & ORS.

.....Defendants

Through: Ms. Bhawna Khanna on behalf of
defendant no 3

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

17.02.2026

%

I.A. 4336/2026

1. The present application under Order XXIII Rule 1 read with Section 151 of the CPC has been filed on behalf of the Plaintiff for withdrawal of the present Suit.
2. The instant Suit has been filed for partition and injunction in respect of the property being No.WZ-2, Basai Darapura, Najafgarh Road, New Delhi [**"Suit Property"**].
3. It is stated in the present Application that during the pendency of the present Suit, the Defendant No.4 filed a Suit before this Court being C.S.(OS) No.276/2024 for specific injunction titled as "*Natraj Commercial Complex Pvt Ltd Through its Director Sh. Rajan Tewari v. Sanjeev Kumar and Anr*". The said Suit was disposed of *vide* Order dated 02.12.2025 passed by this Court.



4. While disposing of C.S.(OS) No.276/2024, this Court directed the Defendant No.4 to deposit sale consideration before this Court, while the Plaintiff was given the liberty to withdraw the instant Suit, after registration of the Sale Deed in favor of the Defendant No. 4. The present Application reveals that the Sale Deed has been registered in the name of Defendant No.4 and therefore, permission has been sought to withdraw the instant Suit.

5. In view of the Application having been signed by the Plaintiff as well as the Order dated 02.12.2025 passed by this Court in C.S.(OS) No.276/2024, the Suit is permitted to be disposed of as withdrawn under Order XXIII Rule 1(4)(b) of the CPC. Pending application(s), if any, also stand disposed of.

6. The present Application is disposed of in the aforesaid terms.

7. The next date of hearing i.e., 06.04.2026 before the learned Joint Registrar, stands cancelled.

SUBRAMONIUM PRASAD, J

FEBRUARY 17, 2026

Prateek