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

+ RFA 578/2026 & CM APPL. 38466-68/2026 (Stay)

M/S BHASIN BROTHERS & ORS.Appellants

Through:

versus

HARI LAL GUPTA

.....Respondent

Through: Mr. Vidur Kamra, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **01.06.2026**

1. This hearing has been done through hybrid mode.
2. The present appeal under Section 96 of the CPC seeks the following prayers:-

“a) set aside/quash the impugned Judgment and order & Decree dated 09.01.2026 passed by Ms. Sana Khan, Civil Judge-05 Central District, Tis Hazari Courts, Delhi in CS SCJ No. 2119/2024 titled as "Hari Lal Gupta Versus MIS Bhasin Brothers".

b) award costs of the proceedings throughout in favour of the Appellant; and

(b) Pass such other or further order as this Hon'ble Court deem fit and proper in the facts and circumstances of the present case.”

3. Learned counsel appearing on behalf of the respondent, who appears on an advance notice, raises preliminary objections *qua* the maintainability of the present appeal, inasmuch as the impugned judgment dated 09.01.2026 has been passed by the learned Civil Judge-05, Central, Tis Hazari Courts, Delhi.
4. In these circumstances, learned counsel appearing on behalf of the



appellants seeks leave of this Court to withdraw the present appeal, with liberty to initiate appropriate proceedings in accordance with law, before the Court of competent jurisdiction.

5. Leave and liberty granted.
6. The present appeal is dismissed as withdrawn and disposed of accordingly.
7. Pending application(s), if any, also stands disposed of.
8. Needless to state that the rights and contentions of the parties are left open.
9. Appellants will be at liberty to get the refund of the Court fees.
10. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J
(VACATION JUDGE)

JUNE 01, 2026/sn/db