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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 19786/2025 CM APPL. 82648/2025 CM APPL. 82649/2025
M/S SYCORIAN MATRIMONIAL SERVICE LTDPetitioner

Through: Dr. J K Mittal, Ms. Vandana Mittal
and Mr. Mukesh Choudhary, Advs.

versus

M/S KAPOOR SONS AND CO THROUGH ITS PARTNER SH
ANIL KAPOORRespondent

Through: None

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **07.01.2026**
CM APPL. 82649/2025

1. Allowed, subject to just exceptions.
2. The application is disposed of.

W.P.(C) 19786/2025

1. On the last date of hearing, we have passed the following order:

“1. This writ petition is filed under Article 226/227 of the Constitution of India against the order dated 29.08.2025 passed by the learned Single Judge of this Court on an application filed under Order VII Rule 11 of the Code of Civil Procedure, 1908 by the petitioner being IA No.5755/2025 in CS (COMM) No.933/2024, pending before the learned Single Judge.
2. The issue of maintainability of the writ petition need to be looked into, re-notify on 07.01.2026.”



2. The submission of Dr. Mittal is primarily that as the order passed by the learned Single Judge rejecting the application filed by the petitioner herein under Order VII Rule 11 of the Code of Civil Procedure, 1908 ('CPC'), is not an appealable order under Order XLIII Rule 1, CPC the only remedy for the petitioner is to approach this Court by way of a writ petition.
3. Though, we are not in agreement with the submission made by Dr. Mittal, he at this stage states that he shall withdraw the writ petition and approach the Hon'ble Supreme Court under Article 136 of the Constitution of India.
4. Noting the said submission, the petition is dismissed as withdrawn.

V. KAMESWAR RAO, J

MANMEET PRITAM SINGH ARORA, J

JANUARY 7, 2026/msh