



2025:DHC:5235



§~13

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

% ***Date of Decision: 02.07.2025***

+ **C.R.P. 183/2025**

SANTOSH DOCHNIA @ GUDDI .....Petitioner

Through: Mr. Kumar Bhanu and Ms. Monica  
Dochania, Advocates.

versus

LATE SMT GINDO DEVI NOW DECEASED  
& ORS. ....Respondents

Through:

**CORAM:**  
**HON'BLE MS. JUSTICE TARA VITASTA GANJU**

**TARA VITASTA GANJU, J.: (Oral)**

**CM APPL. 37628/2025 [Exemption from filing translated copies]**

1. Allowed, subject to just exceptions.
2. The Application stands disposed of.

**C.R.P. 183/2025 & CM APPL. 37627/2025 [Stay]**

3. The present Petition has been filed under Section 115 of the Code of Civil Procedure, 1908 [hereinafter referred to as "CPC"] seeking to challenge an order dated 08.04.2025 passed by the learned District Judge-01 (North), Rohini District Court, New Delhi [hereinafter referred to as "Impugned Order"]. By the Impugned Order an Application under Order XII Rule 6, CPC filed by the Petitioner has been dismissed.

4. The learned Trial Court has held that the admission that is sought to be relied upon by the Petitioner is not of a nature so as to envisage an order



2025:DHC:5235



under Order XII Rule 6, CPC and has dismissed the Application. Costs in the sum of Rs.10,000/- have also been imposed on the Petitioner.

5. After some arguments, learned Counsel for the Petitioner submits that he restricts his challenge in the present Petition to waiver of costs. Learned Counsel for the Petitioner submits that the Petitioner is a pensioner and does not have any other source of income.

5.1 Learned Counsel for the Petitioner further submits that the Petitioner has in any event been deprived of her share by her own siblings and thus, is not in a good financial condition.

6. Learned Counsel for the Petitioner submits that in these circumstances, it would be in the interest of justice that the costs be waived.

7. In view of the foregoing, this Court deems it apposite to waive the costs imposed on the Petitioner by the learned Trial court.

7.1 It is clarified that this Court has not examined the matter on merits. All the rights and contentions of both parties are left open in this regard.

8. The Petition is disposed of in the foregoing terms.

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

**TARA VITASTA GANJU, J**

**JULY 2, 2025/pa**

*Click here to check corrigendum, if any*