



2025:DHC:3192



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI***Date of Decision: 29.04.2025*+ **C.R.P. 75/2025 & CM APPL. 14787/2025**

SHIV MOHAN & ORS.Petitioners

Through: Mr. Amitabh Narayan, Adv.

versus

UMED SINGH & ORS.Respondents

Through: None.

CORAM:**HON'BLE MS. JUSTICE TARA VITASTA GANJU****TARA VITASTA GANJU, J.: (Oral)**

1. The present Petition has been filed under Section 115 of the Code of Civil Procedure, 1908 (CPC) impugning the order dated 01.02.2025 [hereinafter referred to as "Impugned Order"] passed by the learned District Judge-03, North West, Rohini Courts, Delhi. By the Impugned Order, the Application under Order XXII Rule 9 of the CPC was allowed and an order dated 03.10.2023 by which the suit had abated was set aside.

2. Learned Counsel for the Petitioners submits that a Coordinate Bench of this Court had on 12.03.2025 directed as follows:

"7. The learned counsel for the petitioner, on instructions, submits that the petitioner would be satisfied if the respondent is put to cost and is directed to not delay the proceedings.

8. Issue notice limited to the aspect as noted above."

3. None appears for the Respondents despite service on 29.03.2025.



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4. In view of the limited prayer of the Petitioners, this Court deems it apposite to dispose of this Petition directing that both the parties shall not take any unnecessary adjournments before the learned Appellate/Trial Court, where the matter is pending.
5. The Petition is disposed of in the foregoing terms. The pending Application also stands closed.
6. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

APRIL 29, 2025/ ha/x

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