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

% *Date of Decision: 07th July, 2025*

+ **FAO 170/2025 & CM APPL. 39051-39052/2025**
SHRI RAMESH KUMAR

.....Appellant

Through: **Mr. Mrinal Bharat Ram and Mr. Aditya Laroyia, Advocates.**

versus

SHRI MOHIT SINGH & ORS.

.....Respondent

Through: **Ms. Shalini Mishra, Advocate for R-2.**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. After hearing arguments for some time, learned counsel for the petitioner does not press the present appeal.
2. He, however, submits that the learned Trial Court may be requested to expedite the disposal of the suit in question and it be also made clear by this Court that the observations appearing in the impugned order dated 22.04.2025 are tentative in nature and would not influence the final disposal of the case.
3. Learned counsel for defendant No.2 appears on advance notice.
4. In view of the above statement, the present appeal filed by the plaintiff is dismissed, as not pressed.
5. However, at the same time, the learned Trial Court is requested to make best endeavour to dispose of the suit in question, as expeditiously as possible.
6. Needless to say, all the parties shall render due assistance and



co-operation in this regard to the learned Trial Court.

7. Since the observations made in the impugned order dated 22.04.2025, whereby the application moved by the plaintiff under Order XXXIX Rule 1 and 2 CPC has been dismissed, is on the basis of taking a *prima-facie* view of the matter, the same shall not influence the learned Trial Court at final stage. The appeal stands disposed of in aforesaid terms.

8. Pending applications, if any, also stand disposed of.

(MANOJ JAIN)
JUDGE

JULY 7, 2025/ss/pb