



2025:DHC:7415



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

% *Date of Decision: 26th, August, 2025*

+ CM(M) 885/2023 & CM APPL. 27945/2023

SANJEEV KUMAR

.....Petitioner

Through: Mr. Ashwani Kumar Yadav, Proxy
Counsel.

versus

AAKASH JAIN

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The arguing counsel is, reportedly, indisposed but, at the same time, the proxy counsel appears and submits that the petitioner is no longer interested in pursuing with the present petition.
2. The status of the suit in question was checked on the website of Delhi District Courts and it is found that the suit in question i.e. CS (COMM) 323/2022 has already been decreed by the learned Trial Court way back on 15.04.2024.
3. The grievance in the present petition is with respect to order dated 19.01.2023 whereby the written statement of the defendant was refused to be taken on record observing that it was beyond the permissible outer limit of 120 days.
4. Fact remains that, since the suit in question has already been decreed by the learned Trial Court on 15.04.2024, nothing further survives in the present petition.



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5. Needless to say, in case, the defendant challenges the abovesaid decree, it will be open to him to challenge the order dated 19.01.2023, in terms of Section 105 CPC, which is impugned herein.
6. The present petition is, accordingly, disposed of in aforesaid terms.
7. The pending application also stands disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 26, 2025/ss/pb