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

Date of Decision: 08th May, 2026

+ CM(M) 1065/2026

PAWAN CHOPRA

.....Petitioner

Through: Mr. Neeraj Barak and Mr. Mayank Gakkhar, Advocate.

versus

ARIA MUNI

.....Respondent

Through: Mr. Rohit Kumar Modi, Advocate

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.

CM APPL. 30901/2026 (for condonation of delay in re-filing)

2. The present application has been filed under Section 151 of the Code of Civil Procedure, 1908, seeking condonation of delay in re-filing the present petition.

3. For the reasons stated in the application, the delay of 48 days in re-filing the present petition is condoned.

4. The application stands disposed of.

CM APPL. 30900/2026 (for exemption)

5. Allowed, subject to all just exceptions. The application stands disposed of.

CM(M) 1065/2026 & CM APPL. 30902/2026 (for stay)



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6. The present petition has been filed under Article 227 of the Constitution of India, assailing the order dated 11th February, 2026 passed by the learned Trial Court in *CS DJ 276/2025*, whereby the application filed by the petitioner under Order VII Rule 11 of the Code of Civil Procedure, 1908, (“CPC”) has been disposed of.

7. Learned counsel for the respondent appears on advance notice and accepts notice.

8. The matter is taken up for hearing with the consent of learned counsel for the parties.

9. Heard. Record perused.

10. Learned counsel for the petitioner submits that arguments had been advanced before the learned Trial Court on the application filed under Order VII Rule 11 CPC. However, the learned Trial Court disposed of the said application as not pressed without prejudice. It is further submitted that the impugned order dated 11th February, 2026 is contrary to the submissions advanced on behalf of the petitioner before the learned Trial Court.

11. *Per contra*, learned counsel for the respondent submits that the present petition has been filed only with a view to delay the proceedings and that the learned Trial Court rightly disposed of the application as not pressed, since the same was not pressed by learned counsel for the petitioner.

12. The impugned order dated 11th February, 2026 reads as under :

“The application u/o 7 Rule 11 CPC is disposed off as not pressed without prejudice.

The defendant may file the WS as per law.

To come up for completion of pleadings, admission-denial of documents and framing of issues on 07.05.2026.”

13. A perusal of the order shows that the application under Order VII Rule



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11 CPC was disposed of as not pressed without prejudice. There is nothing on record to indicate anything contrary thereto and therefore, this Court has to follow what has been recorded in the impugned order. Accordingly, the present petition stands dismissed being devoid of any merits. Pending application(s), if any, also stand disposed of.

RAJNEESH KUMAR GUPTA, J

MAY 8, 2026/nd/abk