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

Date of Decision: 09th March, 2026

+ CM(M) 259/2025 & CM APPL. 7677/2025

VIJAY BHEL & ORS.

.....Petitioners

Through: Mr. Yash Tewari, Adv.

versus

SURESH CHAND GUPTA

.....Respondent

Through: Ms. Shalini Kapoor, Ms. Divyanshi Saxena and Mr. Udit Bhatiani, Advs.
with respondent-in-person.

CORAM:

HON'BLE MR. JUSTICE RAJNEESH KUMAR GUPTA

ORDER (Oral)

Rajneesh Kumar Gupta, J.

1. This hearing has been conducted through hybrid mode.
2. The present petition has been filed by the petitioners under Article 227 of the Constitution of India, 1950, assailing the impugned order dated 27th November, 2024, passed by the learned Trial Court in RC ARC No. 589/2023, whereby the application of the petitioner under Order IX Rule 7 of the Code of Civil Procedure, 1908 for setting aside *ex-parte* order dated 22nd July, 2024 has been dismissed.
3. Heard. Record perused.
4. At the outset, learned counsel for the respondent submits that the respondent has no objection if the impugned *ex- parte* order dated 22nd July, 2024 is set aside, subject to payment of exemplary costs.



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5. Keeping in view this submission made by the learned Counsel for the respondent, the impugned *ex-parte* order dated 22nd July, 2024 is set aside subject to a payment of costs of Rs. 25,000/- to the respondent, and in consequent thereto, the petitioner is also granted two weeks' time from today to file the written statement before the learned Trial Court to avoid any further delay in the disposal of the matter.

6. Accordingly, the present petition is disposed of in the above-stated terms. Pending application(s), if any, also stands disposed of.

RAJNEESH KUMAR GUPTA, J

MARCH 09, 2026/sds/ik