

25.07.2026

Fresh misc. appeal received by way of e-filing on 29.05.2026 when the undersigned was on leave. It be checked and registered now.

Present : Sh. Krishan Yadav and Sh. Nipun Manocha Ld.
Counsels for appellant through VC.

By way of present appeal, the appellant has challenged the impugned order dated 15.04.2026 passed by Ld. Civil Judge-03, Shahdara, KKD Courts, Delhi, whereby, an application under order 1 rule 10(2) CPC was dismissed.

During the course of hearing, Ld. Counsels for appellant upon instructions submit that they do not want to proceed further in present matter and wants to withdraw the same with liberty to file it afresh before appropriate forum as the impugned order is not a appellable one under order XLIII CPC. Heard.

In view of the above submissions, the present misc. appeal is hereby disposed of as dismissed being withdrawn with liberty to file it afresh before appropriate Forum inaccordance with law.

Copy of this order be sent to Ld. Trial Court for necessary information.

Appeal file be consigned to Record Room after due compliance.

(Gaurav)
District Judge-01/ SHD
KKD/Delhi/25.07.2026