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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CMI 1/2023**
RAVINDER PAL SINGHPetitioner
Through: Mr. Bishwajit Dubey, Pro-bono
Counsel (DHCLSC) with Ms. Gurleen
Kaur, Advs & Mr. Ravinder Pal Singh
in person.

versus
SANJAY MONGIA & ORS.Respondents
Through: Mr. Varun S Ahuja, Adv. for R1 & 2.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

% **ORDER**
07.11.2025

CM APPL. 31638/2025(recalling of orders)

1. Appellant has filed *Regular First Appeal* seeking to set aside Judgment and Decree dated 29.05.2019. He had also moved an application under Order XXXIII Rule 5 CPC seeking permission to pursue the present appeal as an indigent person, since he had no means to pay court fee.
2. It was apprised on 24.04.2025 that the co-defendants in the suit in question had also filed a *Regular First Appeal* and since such appeal has been disposed of as compromised, the appellant herein was no longer interested in pursuing his application i.e. CMI 1/2023, the same was disposed of as not pressed on 24.04.2025.
3. The appellant/applicant has, now, moved an application seeking recalling of the abovesaid order dated 24.04.2025.
4. It is, though, admitted that there was some compromise between the plaintiff and rest of the defendants but, according to the applicant, he never instructed his counsel to not press the above said application.



5. The applicant is present in court today and submits that he still wants to assail the decree in question and, since, he had no means to pay court fees, he seeks revival of his abovesaid petition whereby he is seeking permission to pursue his present appeal as an indigent person.

6. Though, the decree in question seems satisfied, fact remains that appellant is interested in continuing with his present appeal, and since according to him there were no instructions to his then counsel to not press the abovesaid application, in the interest of justice and after hearing both the sides, the abovesaid order dated 24.04.2025 is recalled and CMI 1/2023 stands restored to its original position and original number.

7. Subject to the orders of Hon'ble the Chief Justice, the abovesaid application be placed before the learned Roster Bench on 20.11.2025.

MANOJ JAIN, J

NOVEMBER 7, 2025/sr/pb