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

+ **CS(OS) 76/2021**

SMT. SUNITA

.....Plaintiff

Through: Mr. Rakesh Sherawat, Advocate.

versus

RAVINDER & ORS.

.....Defendants

Through: Mr. Rajkamal and Ms.Dimpy,
Advocates for D-1 to 3.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **10.10.2025**

I.A. 25271/2025 (under Order IX Rule 4 R/w Section 151 of CPC)

1. Learned counsel appearing on behalf of the applicant/plaintiff, at the outset, submits that he be permitted to withdraw the averments made in paragraph no.7 of the application.
2. At his oral request, paragraph no.7 of the instant application stands deleted.
3. Learned counsel for the plaintiff fairly submits that on account of some communication gap, no representation could be made on behalf of the plaintiff on 11.09.2025, as the same was noted for 12.09.2025. He then submits that on all earlier dates, the plaintiff was represented by her counsel and the absence on 11.09.2025 was on account of *bonafide* reasons.
4. Having considered the submissions made by learned counsel for the



plaintiff, the Court is satisfied that the matter was being diligently prosecuted by the plaintiff from its inception and on account of the applicant's absence on 11.09.2025, the matter has been dismissed for want of prosecution.

5. Since, the absence on 11.09.2025 was *bonafide*, therefore, the order dated 11.09.2025 stands recalled and the matter is directed to be restored to its original stage and number.

6. With the aforesaid direction, the instant application stands disposed of.

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1. Let the report of the Local Commissioner be submitted before the next date of hearing.

2. List this matter on 10.12.2025.

PURUSHAINDR KUMAR KAURAV, J

OCTOBER 10, 2025

Nc/amg