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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 971/2025**
KULDEEPPetitioner

Through: Mr. Manoj Godara, Advocate.
versus

SANDEEP SHARMARespondent
Through: Mr. Vikas Sharma, Mr. Umesh Sinha
and Mr. Anubhav Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **23.05.2025**

CM APPL. 32192/2025 (Exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 971/2025

1. Petitioner is plaintiff before the learned Trial Court and is aggrieved by the order dated 13.01.2025 whereby while allowing the application moved under Order IX Rule 13 CPC, the *ex-parte* judgment and decree has also been set aside.
2. Learned counsel for respondent/defendant appears on advance notice and, without prejudice to his rights and contentions, accepts notice.
3. He, however, at the same time, submits that since the cost has been accepted by the plaintiff (petitioner herein) he cannot raise any further grievance in the matter.
4. Let a short reply be filed within four weeks from today with advance copy to opposite side. Rejoinder, if any, be filed within further two weeks.
5. List on 22.09.2025 for final arguments.

MANOJ JAIN, J

MAY 23, 2025/ss/SS