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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **C.R.P. 349/2023, CM APPL. 61537/2023, CM APPL. 61538/2023**
DELHI HINDUSTANI MERCANTILE CGHSPetitioner

Through: Mr. Ishan Jain, Mr. Yash Prakash,
Advts.

versus

SANKARA SUBBURespondent
Through: Mr. A.K. Pandey, Adv.

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
01.05.2025

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1. The grievance of the Petitioner, as articulated in the present Petition, is that an Application under Order VII Rule 11 of Code of Civil Procedure, 1908 ('CPC') filed by the Petitioner has been dismissed by the learned Trial Court despite the plaint disclosing no cause of action. Learned Counsel seeks to rely upon the judgments passed by the Coordinate Benches of this Court in *The Punjabi Bagh Cooperative Housing Society Limited vs. K.L. Kishwar and Ors*; (2002) 95 DLT 573 and *B.C. Rana vs. Seema Katoch and Ors.*; (2013) 198 DLT 35, in this behalf.
2. Learned Counsel for the Respondent submits that these judgments are not applicable to the facts of the present case and requests for some time to place on record the judgments in support of his contentions.
3. Let a short note of contentions be filed by both parties, not exceeding two pages each, at least three days before the next date of hearing, along

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with the compilation of judgments, if any, they wish to rely upon. All judgments sought to be relied upon shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

4. List on 29.07.2025.
5. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

MAY 1, 2025/jn

[Click here to check corrigendum, if any](#)

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