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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CM(M) 2406/2025

DELHI DELVELOPMENT AUTHORITY

.....Petitioner

Through: Mr. Gaganmeet Singh Sachdeva and
Mr. Harshpreet Singh, Advocates.

versus

M/S AADHAR STUMBH

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

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11.12.2025

CM APPL. 78297/2025 (exemption)

1. Allowed, subject to all just exceptions.

CM(M) 2406/2025 & CM APPL. 78296/2025 (stay)

2. Petitioner/defendant has assailed order dated 06.10.2025, whereby the learned trial court dismissed the application of the petitioner /defendant under Order XXII Rule 3 CPC, whereby the petitioner/defendant had sought order of abatement of the suit; further the learned trial court by way of the said order also allowed application of respondent/plaintiff under Section 151 CPC for change of name of the respondent/plaintiff.

3. Learned counsel for petitioner/defendant has taken me through the



impugned order and it is contended that the same is not sustainable. It is also pointed out that there was no separate application under Section 151 CPC, as stated in the impugned order, and it was only the reply to the abatement application which was treated by the learned trial court as an application. It is also submitted that the impugned order was passed without any formal application seeking condonation of delay on the part of the respondent/plaintiff. Learned counsel has taken me through paragraph 6 of the impugned order which bears the crux.

4. The proceedings before the trial court shall remain stayed till next date.

5. Subject to petitioner taking steps within one week, notice through all modes be issued to the respondent, returnable on 06.04.2026 before Registrar.

GIRISH KATHPALIA, J

DECEMBER 11, 2025/ry