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

\+ CM(M) 126/2021

SUSHILA DEVI ..... Petitioner

Through: Mr. Kamlesh Kumar Mishra, Advocate.

versus

BALA & ORS. ..... Respondents

Through: Mr. Jeeva Nandan, Advocate.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 11.10.2021

1. The present petition under Article 227 of the Constitution of India impugns the order dated 2nd March, 2020 passed by the ADJ-05, West Tis Hazari Courts, Delhi whereby the suit filed by the petitioner/plaintiff has been dismissed for non-prosecution.

2. Even though notice has been issued in this petition on 12th February, 2021, it was put to the counsel for the petitioner as to how the present petition is maintainable, in view of the fact that suit itself stands dismissed.

3. Counsel for the petitioner fairly agrees and seeks liberty to file appropriate application before the Trial Court for restoration of the suit.

4. The petition is dismissed as withdrawn with the aforesaid liberty.

AMIT BANSAL, J

OCTOBER 11, 2021
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