

\$~52

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

+ **FAO (OS) 67/2015 & CM 2219/2015**

BHARGAVA & ASSOCIATES PRIVATE LIMITED Appellant

Through : Mr A. K. Singla, Sr Advocate with
Mr Deepak R. Dahiya

versus

CENTRAL AGRICULTURE UNIVERSITY Respondent

Through : None

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **10.02.2015**

The learned counsel for the appellant seeks permission to withdraw this appeal inasmuch as the same is covered by a decision of this Court in **DDA v. Durga Construction Company: ILR (2014) 1 Delhi 153**. He, however, made a submission that certain objections, which he had raised in IA 12510/2013, should be kept alive. We have seen the impugned judgment/ order and we find that the same has been passed in IA 16805/2014, which deals with the question of condonation of delay in re-filing. Insofar as IA 12510/2013 is concerned, that has already been disposed of by an order dated 12.08.2013 by recording that the issue raised therein would be dealt with as a preliminary issue at the stage of hearing of the appeal. That stage has not arrived as yet.

Consequently, the point sought to be urged by the learned counsel for the petitioner with regard to IA 12510/2013, need not detain us. Insofar as the question of

condonation of delay in re-filing is concerned, that stands concluded by the impugned judgement dated 19.01.2015, which is acknowledged by the learned counsel for the petitioner and that is the reason why he is not pressing the present appeal. The present appeal stands dismissed as withdrawn.

BADAR DURREZ AHMED, J

**FEBRUARY 10, 2015
SR**

SANJEEV SACHDEVA, J