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

+ EX.P. 257/2009

SMT SANJANA KAPOOR AND OTHERS Decree Holders
Through: None

versus

M/S DALMIA RESORTS INTERNATIONAL PVT LTD
..... Judgement Debtor
Through: None

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

% **ORDER**
05.11.2015

1. The present petition was adjourned sine die vide order dated 29.10.2009, to await the decision of the Division Bench in RFA(OS) 88/2009, an appeal preferred by the Judgment Debtor against the order dated 09.02.2009, passed in CS(OS) 1944/2000, whereunder the suit instituted by the Decree Holders/plaintiffs for recovery of money was decreed in their favour.

2. The order dated 01.10.2012 passed by the Division Bench in RFA(OS) 88/2009 entitled "M/s Dalmia Resorts International Pvt. Ltd. vs. Sanjana Kapoor and Anr." has been downloaded from the internet. The same reveals that the parties were able to negotiate a settlement and had filed a copy of the Compromise Deed alongwith CM

17203/2012, an application filed by the Judgment Debtor/appellant in the appeal proceedings.

3. In view of the compromise entered into by the parties, the appeal was disposed of by the Division Bench while directing the parties to withdraw their respective litigations initiated against each other. However, no steps have been taken by the Decree Holder's to approach the Court for the past three years for seeking withdrawal of the present petition.

4. In view of the order dated 01.10.2012 passed in RFA(OS) 88/2009, it appears that nothing further survives for adjudication in the present petition, which is accordingly disposed of with liberty granted to the parties to approach the court for seeking revival of the petition, if necessary, as per law.

HIMA KOHLI, J

NOVEMBER 05, 2015

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