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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ RFA 460/2014
NIRMALA SINGH Appellant
Through: None.

Versus
MOOLWATI (NOW DECEASED) THROUGH LRS
& ANR. Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER
% **26.02.2016**

CM No.7301/2016 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM No.7300/2016 (of the appellant u/O VII Rule 10 CPC)

3. The appellant, after this appeal was dismissed as withdrawn with liberty to the appellant to institute the appeal before the appropriate Court, has filed this application for returning the appeal to the appellant to enable the appellant to present the same in the appropriate Court and alternatively for forwarding this appeal to the District Judge, Tis Hazari Courts, Delhi.
4. None appears for the appellant / applicant inspite of passover.
5. The appellant / applicant is not found entitled to the relief claimed for the reason that the appellant had initially filed CM(M) No.648/2014 and which vide order dated 25th August, 2014 was converted into this appeal subject to the appellant complying with the formalities including as to

payment of court fees. Subsequently, when the counsel for the respondent no.2(a) appeared and took objection of the maintainability of the appeal before this Court owing to this Court not being the Court of minimum pecuniary jurisdiction to entertain the appeal, the counsel for the appellant withdrew the appeal as aforesaid.

6. No case for now returning the appeal or sending it to the District Judge, Tis Hazari Courts, Delhi and which appeal no longer exists, is made out.

Dismissed.

RAJIV SAHAI ENDLAW, J

FEBRUARY 26, 2016

‘gsr’..