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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2575/2015**
SURESH LAHIRI

..... Petitioner

Through: Mr. Sunil Kumar, Adv.

versus

STATE (NCT OF DELHI) & ORS

..... Respondent

Through: Ms.Kamna Vohra, ASC.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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06.11.2015

Crl. M.A.16349/2015

Exemption granted subject to all just exceptions.

Application stands disposed of.

W.P.(CRL) 2575/2015

The father of the petitioner had earlier moved an application before the SDM, Shahdara for determining the boundary of the subject property. A report was submitted by the local Police to the SDM relating to the aforesaid property. The learned SDM Shahdara, it is stated, passed an order on 28.5.2012 in favour of the father of the petitioner. As a result thereof, the petitioner was dispossessed out of the subject property with the help of the local Police, ostensibly, in compliance of the order passed by the learned Magistrate on 21.7.2008.

The petitioner was aggrieved by the aforesaid order and he preferred a

criminal revision before the Sessions Judge. The revisional court allowed the prayer of the petitioner and set aside the order dated 28.5.2012 passed by the SDM.

Learned counsel for the petitioner has preferred the present petition seeking restoration of the aforesaid property to the petitioner.

This Court is afraid that the aforesaid prayer cannot be allowed by this Court. The revisional court could have passed the sequel order once the order passed by the SDM was set aside.

In that view of the matter, the petitioners prays for withdrawal of this petition in order to agitate his claim before the revisional court. The petition is dismissed as withdrawn with the liberty aforesaid.

Dasti.

ASHUTOSH KUMAR, J

NOVEMBER 06, 2015

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