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

REVIEW PET. 79/2006 & CM Nos. 1996/2006, 10104,
11555/2007 in
+ W.P.(C) 10287/2004

M.C. GUPTA

..... Petitioner

Through: Mr. Rajesh Tyagi, Adv.

versus

IGNOU & ORS

... Respondents

Through: Mr. Kulish Tanwar, Adv. for
R-1.

CORAM:

HON'BLE MS. JUSTICE GITA MITTAL

ORDER

% **06.05.2016**

REVIEW PET.No.79/2006

1. Learned counsel for the petitioner submits that the petitioner has filed a suit for recovery of monetary amounts against the respondents which is pending before the District Courts. He submits that, without prejudice to the petitioner's rights and contentions in the suit and subject to the learned Trial Court taking an independent view in the matter, uninfluenced by the observations by this court, he may be permitted to withdraw this review petition.

2. Learned counsel for the respondents submits that the respondents would have no objection if the petitioner is permitted to withdraw the review petition subject to the above.

3. This review petition is dismissed as withdrawn. It is made clear that the learned Trial Court shall proceed with the adjudication in the suit between the parties uninfluenced by the observations made in the judgment by this court. The learned Trial Court shall proceed to adjudicate in the matter on the basis of the evidence which is led before it.

4. Learned counsel for the petitioner prays for waiver of costs of ₹15,000/- imposed by this court by the judgment dated 18th October, 2005. In view of the withdrawal of the review petition, I accept the prayer made by the petitioner and the costs imposed in terms of the judgment dated 18th October, 2005 stands waived.

The pending applications also stand dismissed.

GITA MITTAL, J

MAY 06, 2016

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