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

+ RSA 105/2014

SANTOSH SOLANKI

..... Appellant

Through: Mr. Prabhat Kaushik, Advocate.

versus

DADA DEV PRABANDHAK SABHA (BARAH GAON) PALAM

..... Respondent

Through: Mr. B.S. Kharb, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **02.08.2016**

1. Counsels for the parties agree that the impugned judgment of the first appellate court dated 18.12.2013 be set aside whereby the application for condonation of delay filed by the appellant was dismissed and hence the first appeal itself was dismissed as time barred.

2. Accordingly, while allowing this appeal, it is directed that the parties will appear before the District & Session Judge (South West), Dwarka Courts, New Delhi on 29th August, 2016 and the District & Sessions Judge will mark the first appeal to a competent court for deciding the same in accordance with law. The competent court which will hear the first appeal is directed to ensure that the first appeal is decided within a period of

three months of the first date which is fixed by the first appellate court.

3. Appeal is accordingly disposed of in terms of aforesaid observations.

VALMIKI J. MEHTA, J

AUGUST 02, 2016
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