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

+ **MAT.APP.(F.C.) 45/2015**

BHUPINDER SINGH

..... Appellant

Represented by: Mr. Shaad Anwar, Advocate.

versus

SONIA

..... Respondent

Represented by: Mr. Nitesh Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **10.08.2016**

CM No.14753/2016

Allowed subject to all just exceptions.

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1. Learned counsel for the appellant states that the appellant has instructed him to withdraw the appeal on account of the fact the respondent has sought a decree of divorce. The appellant is prosecuting proceedings initiated by him for restitution of conjugal rights.

2. Since the appellant is no longer desirous of continuing with the appeal and wants to withdraw the same the appeal is dismissed as withdrawn without there being any order as to costs.

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1. The application is disposed of with consent of learned counsel for the parties observing that if the respondent has any grievance concerning

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non-payment of the sums required to be paid by the appellant in terms of order dated May 10, 2016 she would be entitled to execute the same in which the issue of compliance would be decided.

2. We note that whereas the appellant claims having complied with the order dated May 10, 2016 the respondent denies the same.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

AUGUST 10, 2016
'st'