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

+ **MAC.APP. 251/2016**

HARVINDER SINGH

..... Appellant

Through: Mr. Rajat Aneja & Ms. Shifa Nagar,
Adv.

versus

**SHRI BHARAT BHUSHAN & ORS (THR ORIENTAL
INSURANCE CO LTD)**

..... Respondents

Through: Mr. Amit Gaur, Adv. for insurance
company.
Ms. Sakshi Popli, Adv. & Ms. J.
Vijetha, Adv. proxy counsel for
respondent/GNCTD

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% 22.03.2016

CM no. 10611/2016 (exemption)

Exemption allowed, subject to just exceptions.

**MAC appeal no. 251/2016 & CM nos.10610/2016 (interim relief),
10613/2016 (delay in filing), 10612/2016 (additional evidence)**

After some hearing, the learned counsel for the appellant submits that he may be allowed to withdraw the appeal though with liberty to press for necessary interim protection and pursue the application under Order 9 Rule-13 of the Code of Civil Procedure, 1908 which has already been preferred before the motor accident claims tribunal against the judgment and award

dated 25.09.2012. The appeal with accompanying applications are dismissed as withdrawn with liberty as prayed.

It is clarified that the tribunal shall have liberty to requisition the record of the motor accident claims tribunal no.494/2008 in which the judgment was passed by the tribunal on 25.09.2012, which is stated to have tagged with the record of MAC appeal no.86/2013 pending in this court.

A copy of this order be given dasti.

R.K.GAUBA, J

MARCH 22, 2016/ssc