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

+ RFA(OS) 28/2016

RAJENDRA GUPTA & ORS

..... Appellants

Represented by: Mr.V.K.Malik, Advocate
Mr.Gaurav Kakar, Advocate
along with Mr.Nishant Anand,
Advocate with the appellants in
person

versus

RAHUL JAIN & ORS

..... Respondents

Represented by: Mr.Raunak Jain, Advocate for
R-1 to R-8

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

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21.09.2016

RFA(OS) 28/2016

1. Mr.V.K.Malik, Advocate prays for his vakalatnama to be discharged because the appellants have withdrawn the brief from him and handed over the brief to Mr.Gaurav Kakar, Advocate, who appears along with the appellants in Court today.
2. Vakalatnama in favour of Mr.V.K.Malik, Advocate executed by the appellants is discharged.
3. Statement of appellants on oath has been recorded in presence of their counsel. The appellants have signed the statement in presence of their

counsel who has identified the appellants and beneath the signatures of the appellants made on the statement has signed the same.

4. In view of the statements made by the appellants the appeal is dismissed as not pressed. Simultaneously the appellants' undertaking contained in the application is treated as an undertaking to the Court and forms the consideration for waiving costs imposed upon the appellants in sum of ₹2,00,000/- by the learned Single Judge as per the order dated March 14, 2016.

5. Dismissing the appeal as withdrawn and accepting the undertaking given by the appellants and binding the appellants to the same, costs imposed in sum of ₹2,00,000/- against the appellants under the impugned order dated March 14, 2016 is waived.

6. Parties shall bear their own costs in the appeal.

CM Nos.12229/2016, 12230/2016, 17880/2016 & 32220/2016

In view of the appeal being dismissed as withdrawn above captioned civil miscellaneous applications are dismissed as infructuous.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

SEPTEMBER 21, 2016

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