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

+ LPA 263/2016

NARENDRA KUMAR RAJGARHIA

.....Appellant

Through: Mr.C.Mukund with Mr.Amit Kasera
and Mr.S.M. Vivek Anandh, Adv.

Versus

KOTAK MAHINDRA BANK LTD & ANR

.....Respondents

Through: Mr.Arun Aggarwal, Adv. for R-1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **28.04.2016**

CM Nos.15200-15201/2016 (*exemptions*)

Allowed, subject to all just exceptions.

LPA No.263/2016 & CM No.15199/2016 (*stay*)

1. This appeal under Clause 10 of the Letters Patent is preferred against the following order of the learned Single Judge in W.P.(C) No.2910/2016:-

“1. This order is in continuation of the earlier order dated 4th April, 2016.

2. The counsel for the respondent no.1 has filed a counter affidavit; the same is not on record; be got placed on record; a copy is handed in the Court.

3. The counsels have been heard on the two aspects highlighted in the order dated 4th April, 2016.

4. Order reserved.

5. The counsels may file a synopsis not more than three pages of their respective propositions of law within one week.

6. It is clarified that there is no interim order in this proceeding and the Bank is at liberty to take appropriate steps as entitled in law.”

2. We have heard the learned counsel for the appellant. In our view the above order dated 19.04.2016 cannot be termed as a 'judgment' so as to maintain an appeal under Clause 10 of the Letters Patent.

3. Hence, on that ground alone, we decline to entertain the appeal and the same is accordingly dismissed.

4. However, this shall not preclude the appellant to move an appropriate application as permissible under law before the learned Single Judge, if so advised.

CHIEF JUSTICE

JAYANT NATH, J

APRIL 28, 2016/pmc