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

+ **FAO 239/2016 & C.M.No.19777/2016**

RAVINDER PAL SINGH PAINTAL Appellant

Through: Mr.Aman Vachher, Mr. Ashutosh
Dubey and Mr. Sagar Mehra,
Advocates

versus

GULSHAN VIR SINGH PAINTAL & ORSRespondents

Through: Ms. Praveena Gautam, Advocate
for respondent No.1 and for Ms.
Vandana Khurana, Advocate for
respondent No.2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

% **03.08.2016**

Ms. Praveena Gautam, Advocate, submits that she appears on behalf of respondent No.1 and also as proxy counsel for Ms. Vandana Khurana, Advocate for respondent No.2.

Vide order of 17th November, 2015, the Joint Registrar of this Court while recording the evidence had imposed costs of ₹1 lac upon the appellant.

Learned counsel for appellant submits that a Chamber Appeal was preferred against the aforesaid order in this Court but due to change of pecuniary jurisdiction, the matter had gone to the District Courts and since the Chamber Appeal was not entertained, therefore, a review application was filed before the trial court which stands dismissed vide

impugned order.

To say the least, trial court was in no position to review the order passed by the Joint Registrar of this Court and, so appellant's application was rightly dismissed vide impugned order.

At this stage, learned counsel for appellant submits that the appellant was ill advised to file a review application before the trial court and seeks permission to withdraw this appeal with liberty to re-file the Chamber Appeal within two weeks from today. If it is so, then it shall be ensured that the trial court record is requisitioned from the trial court to enable the hearing of the Chamber Appeal.

This appeal and the application are disposed of as not pressed with liberty as aforesaid and with clarification that impugned order shall have no bearing on the Chamber Appeal as and when filed.

Dasti.

(SUNIL GAUR)
JUDGE

AUGUST 03, 2016

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