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

+ **FAO(OS) 162/2016**

RAJENDRA GUPTA & ANR

..... Appellants

Through

Mr Adarsh B. Dial, Sr Advocate with
Mr V.K. Malik, Advocate.

versus

RAHUL JAIN & ORS

..... Respondents

Through

None.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **25.05.2016**

CM No.20082/2016 (exemption)

Exemption is allowed subject to all just exceptions.

FAO(OS) 162/2016 & CM No.20081/2016 (stay)

The learned counsel for the appellants states that a regular first appeal [RFA (OS) 28/2016] has already been filed against the preliminary decree dated 30.07.2012, which is pending before another Division Bench.

In view of the pendency of the said regular first appeal, the learned counsel for the appellants seeks permission to withdraw this appeal because all the issues pertaining to the preliminary decree are to be decided in that regular first appeal.

The present appeal is dismissed as withdrawn in the aforesaid circumstances.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

MAY 25, 2016/st