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

+ **FAO(OS) 180/2016 & CM Nos. 22418/2016 & 22419/2016**

NATIONAL NEONATOLOGY FORUM

..... Appellant

Through: Mr M.S. Ganesh, Senior Advocate with
Mrs Enakshi Mukhopadhyay and
Mr H.S. Kohli, Advocates

versus

DR SHIKHAR JAIN & ORS

..... Respondents

Through: Mr Amit S. Chadha, Senior Advocate
with Mr Anshu Mahajan and Mr Karan
Arora, Advocates for R-1 to R-3.
Mr Anil Airi, Senior Advocate with
Mr Anant Kumar Vatsya, Mr Ravi
Krishan Chandra, Mr Aman Madan and
Ms Bindiya L. Airi, Advocates for R-4

+ **FAO(OS) 199/2016 & CM Nos. 24466/2016**

DR AJAY GAMBHIR

..... Appellant

Through: Mr Anil Airi, Senior Advocate with
Mr Anant Kumar Vatsya, Mr Ravi
Krishan Chandra, Mr Aman Madan and
Ms Bindiya L. Airi, Advocates

versus

DR SHIKHAR JAIN & ORS

..... Respondents

Through: Mr Amit S. Chadha, Senior Advocate
with Mr Anshu Mahajan and Mr Karan
Arora, Advocates for R-1 to R-3.
Mr M.S. Ganesh, Senior Advocate with
Mrs Enakshi Mukhopadhyay and
Mr H.S. Kohli, Advocates for R-4.

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
16.08.2016

Signature Not Verified
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By:AMULYA

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We have heard the learned counsel for the parties at length. The tenure of the appellant in FAO (OS) 199/2016 would, even as per the said appellant, come to an end on 31.12.2016. It is of course the case of the respondents that the tenure of the said appellant had ended on 31.12.2015.

After having considered all the pros and cons, we are of the view that the appropriate order to pass in these appeals is to confirm the interim orders that have been passed in these appeals.

In FAO (OS) 180/2016, we had passed an interim order on 02.06.2016 which is now confirmed in the appeal. In FAO (OS) 199/2016, we had passed the interim order on 15.07.2016 which is also confirmed. Rest of the operative portion of the impugned order dated 19.04.2016 stands. We are, however, making it clear that the observations made by the learned single Judge with regard to the appellant in FAO (OS) 199/2016 are only prima facie in nature and will not be binding on the parties and are subject to a final decision in the suit. This will also go for all other observations made by the learned single Judge in the impugned order.

The appeals stand disposed of accordingly..

Badar Durrez Ahmed
BADAR DURREZ AHMED, J

Ashutosh Kumar
ASHUTOSH KUMAR, J

AUGUST 16, 2016

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