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

+ **W.P.(C) 5328/2016**

UNION BANK OF INDIA

..... Petitioner

Represented by: Mr.Janendra Lal, Ms.Yasmin
Tarapore, Advs.

versus

NEERAJ DASSANI & ORS

..... Respondent

Represented by: Mr.Zorawar Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

01.06.2016

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CM 22199/2016

Exemption allowed subject to just exceptions.

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1. The petition is prolix and does not bring home the point regarding liability of R-1 and R-2, which writ petitioner claims was continuous and was of a kind where increase in the credit limit granted by the bank does not absolve the guarantors their liability on the principle of novation.
2. Rather than the petition suffers dismissal for lack of pleadings learned counsel seeks leave to withdraw the petition on principle analogous to Order XXIII Rule 1 of the Code of Civil Procedure with right to file a fresh petition laying a challenge to the impugned order dated January 27, 2016.

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3. Granting liberty as prayed for we permit the petition to be withdrawn and hence dismiss the same as withdrawn.

4. No cost.

PRADEEP NANDRAJOG, J.

MUKTA GUPTA, J.

JUNE 01, 2016
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