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

+ EX.F.A. 19/2016 & C.M.No. 24589/2016

JUGAL KISHORE Appellant
Through: Mr. Puneet Yadav, Advocate

versus

ROSHAN LAL & ANR Respondents
Through: Nemo

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

% **ORDER**
15.07.2016

Impugned order dismisses the objections of appellant who claims to be a *bona fide* purchaser of the suit property prior to the institution of the suit.

At the hearing, it was put to learned counsel for appellant as to whether the said plea was raised before the trial court and it is stated by him that it was infact raised, but the said plea has neither been noticed nor dealt with in the impugned order.

If it is so, then appellant instead of rushing to this Court in appeal ought to have sought a review of the impugned order. Learned counsel for appellant submits that liberty be granted to him to seek a review of the impugned order within a week from today.

In the peculiar facts and circumstances of this case, appellant is permitted to file a review petition before the trial court which shall be

dealt with on merits and not on grounds of limitation.

This appeal and the application are dismissed as not pressed with liberty as aforesaid.

Dasti.

(SUNIL GAUR)
JUDGE

JULY 15, 2016

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