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

+ LPA 453/2016

SPECTRA ISP NETWORKS (P) LTD Appellant
Through Mr. Amit Sibal, Sr. Advocate
with Mr. Abhinandan Banerjee and Mr. Vinay
Tripathi, Advocates.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS

..... Respondent
Through Mr. Mukesh Gupta, Standing
Counsel for South Delhi Municipal
Corporation.
Ms. Monika Arora, CGSC for UOI.
Mr. Devvrat, Advocate for GNCTD.
Mr. Arun Birbal and Mr. Sanjay Singh,
Advocate for DDA.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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12.08.2016

After some hearing, learned senior counsel appearing for the appellant does not press the appeal and states that the appellant would be filing an appropriate application before the single Judge that they would without prejudice to their rights and contentions deposit the amount demanded in the Court. The deposit would be subject to the outcome of the writ petition.

Learned counsel for the respondent-South Delhi Municipal Corporation states that the prayer made by the petitioner may not be acceptable and the deposit should be made with the respondent-Corporation.

We do not comment as this aspect is to be examined by the single Judge.

The appeal is accordingly dismissed as withdrawn with liberty as prayed for. By way of caution, we record that we have not expressed any opinion, one way or the other on merits.

SANJIV KHANNA, J.

JAYANT NATH, J.

**AUGUST 12, 2016
NA/VKR**