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

+ EFA(OS) 20/2016

NEW WAYS PROJECTS PVT LTD

..... Appellant

Represented by: Mr.Rajat Aneja, Advocate with
Ms.Chandrika Gupta, Advocate

versus

SHIV SHAKTI MADAN

..... Respondent

Represented by: Mr.P.V.Kapur, Sr.Advocate
instructed by Mr.Sidhant
Kapur, Ms.Divya Kapur,
Ms.Pratibha Sridhar, Advocates

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **04.10.2016**

1. Learned Senior counsel for the respondent urges that in the capacity as a Director of the judgment-debtor when Rajiv Kumar Dandona was being examined, as recorded in paragraph 6 of the impugned order, he undertook to the Court to pay the entire decretal amount. In the next paragraph the Court recorded that it had ensured that Rajiv Kumar Dandona was made aware of the consequences of the breach of undertaking given to the Court.

2. In that view of the matter learned counsel for the appellant seeks leave to withdraw the appeal stating that the appellant would like to move an application before the Court disclosing facts concerning the circumstances under which the undertaking was given with a prayer to the Court that Rajiv Kumar Dandona be permitted to withdraw the undertaking.

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3. Recording as above, we dismiss the appeal as withdrawn. Needless to state if Rajiv Kumar Dandona files an application to withdraw the undertaking given by him to the Court on July 20, 2016, the same shall be decided by the learned Single Judge as per law.

4. No costs.

CM No.31170/2016

Dismissed as infructuous.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

OCTOBER 04, 2016

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