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

+ EFA(OS) 21/2016

SANJEEV J AEREN

..... Appellant

Represented by: Mr.Gurmehar S.Sistani, Adv.

versus

RAKESH KUMAR JAIN & ANR

..... Respondents

Represented by: Mr.A.K.Bajpai, Advocate

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **04.10.2016**

CM No.36966/2016

Allowed subject to all just exceptions.

CM No.36965/2016

1. The application has been filed by respondent No.1. Learned counsel for the appellant who appears on advance copy of the application being filed states that the contents of the application are correct.
2. Since Execution Petition No.65/2016 has been withdrawn, impugned order dated August 11, 2016, which is an interim order passed in said execution petition, has obviously been withdrawn.
3. Keeping in view the prayer made in the application the same is allowed.

EFA(OS) 21/2016 & CM No.34020/2016

1. The date November 23, 2016 fixed in the appeal and the above

captioned civil miscellaneous application is cancelled. Hearing is preponed for today.

2. In view of the order passed hereinabove disposing of CM No.36965/2016 the appeal and CM No.34020/2016 are dismissed as infructuous but expressly observing that if in the execution petition filed in CS(OS) No.2183/2013 the issue arises concerning the personal liability of the appellant the same would be decided in accordance with law.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

OCTOBER 04, 2016

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