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

+ W.P.(C) 9018/2016 and CM APPL. 36532/2016

M/S PROTO DEVELOPERS & TECHNOLOGIES LTD.... Petitioner
Through: Mr. Pankaj Garg, Advocate with
Mr. Milind Garg, Advocate

versus

DEWAN HOUSING FINANCE CORPORATION LTD.. Respondent
Through: Mr. Yashasvi S.K. Chocksey, Advocate
for Ms. Shweta Kapoor, Advocate

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
% **02.12.2016**

1. On the last date of hearing, counsel for the petitioner was requested to give a written intimation of the next date of hearing to the counsel for the respondent. Pursuant thereto, proxy counsel enters appearance and seeks a pass over on the ground that the arguing counsel is unavailable.
2. It is pertinent to note that on 17.11.2016, it had been enquired from learned counsel for the petitioner as to how would the present petition be maintainable in this Court when the respondent is admittedly based in NOIDA, UP and the housing loan in question was disbursed by the respondent to the petitioner at NOIDA, UP. A similar query has been posed to the counsel for the petitioner today, who fairly states that he may be permitted to withdraw the present petition while reserving the right of the

petitioner to seek his remedies against the respondent before the competent court vested with territorial jurisdiction in that regard.

3. Leave, as prayed for, is granted. The petition is dismissed as withdrawn alongwith the pending application.

HIMA KOHLI, J

DECEMBER 02, 2016

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