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

+ **CO.APP. 18/2016 & CM No.36819-20/2016**

UTTARA BABBAR & ANR.

..... Appellants

Represented by: Ms.Uttara Babbar, Adv.

versus

NAMIT MALHOTRA & ORS.

..... Respondents

Represented by: Nemo.

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **03.10.2016**

CM No.36820/2016

Allowed, subject to just exceptions.

CO.APP. 18/2016

1. The appellants have a right to oppose the proposed scheme.
2. Under the impugned order meeting has been called. The appellants would be entitled to participate at the meeting of home buyers for the properties in Gurgaon, Haryana. They would be entitled to express their views to the Chairperson who would be obliged to record the same in the report to be submitted to the learned Company Judge. The appellants would have a right to oppose the scheme and thus at this stage the appeal is premature.
3. Dismissing the appeal as premature we make it clear that all contentions which appellants have advanced in the instant appeal would be, if taken in opposition to the scheme, be dealt with by the learned Company Judge.

4. No costs.

CM No.36819/2016

Dismissed as infructuous.

PRADEEP NANDRAJOG, J.

PRATIBHA RANI, J.

OCTOBER 03, 2016
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