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

+ **RFA 508/2015 & CMs No.33630-31/2016**

NAND KISHORE Appellant
Through : Mr. Rajeev Saxena, Advocate
versus

LOVELY Respondent
Through : None.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
% **21.10.2016**

1. Counsel for the appellant states that initially, when the present appeal was filed, a preliminary decree dated 9.3.2015 passed by the trial court in a suit for partition and permanent injunction instituted by the respondent (plaintiff in the suit) in respect of an immovable property situated at Shahdara, Delhi. During the pendency of the present appeal, a final decree came to be passed on 16.5.2016. As a result, learned counsel seeks leave to withdraw the present appeal, while reserving the right of the appellant to file a substantive appeal against the judgment and decree dated 16.5.2015, in accordance with law.
2. In view of the aforesaid submission, the present appeal is disposed of, along with the pending applications, with liberty granted to the appellant as prayed for.

OCTOBER 21, 2016/sk/ap **HIMA KOHLI, J**