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

+ CM(M) 1237/2016 and CM Nos. 44489-90/2016

KANDE LAL PURTI

..... Petitioner

Through Mr.C.R.Mishra and Mr. R.P.S.Yadav,
Advocates.

versus

SUDESH KUMAR GUPTA & ANR

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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07.12.2016

Learned counsel for the petitioner submits that the plaintiff in the suit, namely, respondent No. 1 and defendant No.4, namely, respondent No. 2 have settled their differences which are the subject matter of the suit in which the petitioner has been needlessly impleaded as a defendant. He submits that the petitioner was only a Loan Manager in the Oriental Bank of Commerce at the relevant time and has no personal liability. He admits that presently no application has been filed before the trial court under Order 1 Rule 10 CPC. It is appropriate that the petitioner may first file an application under Order 1 Rule 10 CPC before the trial court.

Granting the said leave and liberty, the present petition is dismissed as withdrawn. All pending applications also stand dismissed.

JAYANT NATH, J

DECEMBER 07, 2016

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