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

+ RFA 241/2017 and CM APPL. 8132-8133/2017

NITYANAND RAUT

..... Appellant

Through: Mr. Aashutosh Dubey, Advocate with
Mr. Y.R. Gautam, Advocate

versus

JYOTI RAM SAHU & ANR

..... Respondents

Through: None

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

08.03.2017

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1. Pursuant to the order dated 28.02.2017 on which date, this Court had expressed its reservations about entertaining the present appeal as there did not appear any ground for interfering in the impugned judgment and decree dated 29.09.2016 passed by the trial court in favour of the respondents/plaintiffs, directing the appellant/defendant to hand over vacant peaceful possession of the suit premises and pay damages/mesne profits to the respondents/plaintiffs, learned counsel for the appellant states that he has obtained instructions from his client to the effect that he does not wish to press the appeal on merits. Instead, he requests that a limited notice be issued to the respondents for a settlement in respect of the suit premises.

2. Accordingly, the appeal is disposed of alongwith the pending applications and a limited notice for negotiating a settlement with the respondents is issued, on the appellant filing the process fee within one

week. Notice shall be issued to the respondents by ordinary process and speed post, returnable on 02.05.2017.

3. The notices to be issued to the respondents shall indicate that they shall remain present alongwith their counsel on the next date. The appellant shall also remain present, for the parties to negotiate a settlement, if possible.

HIMA KOHLI, J

MARCH 08, 2017

rkb/ap

