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

+ **RFA(OS) 7/2017**

HARISH PESWANI

Represented by: **Mr.A.C.Bhasin & Mr.Amit Bhain, Advocates.** Appellant

versus

JAISHREE PESWANI & ORS

Represented by: **None.** Respondents

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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03.02.2017

CM No.4386/2017

Allowed subject to just exceptions.

RFA(OS) 7/2017

1. Learned counsel for appellant states that he has been instructions to withdraw the appeal in as much as the impugned order would require the appellant to file a suit seeking partition of the six properties which were the subject matter of the suit on the plea that four which were in the name of the father would devolve by intestate succession, two properties purchased in the name of the mother were not intended for the benefit of the mother and notwithstanding the mother being the registered owner of the properties, consideration being paid by the father, the properties would be held benami

by the mother and real ownership will be with the father, hence said two properties are liable to be partitioned.

2. Dismissed as withdrawn.

3. No cost.

CM No.4385/2017

Dismissed as infructuous.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

FEBRUARY 03, 2017

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