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

+ **MAT.APP.(F.C.) 20/2017**

POOJA SHARMA

..... Appellant

Represented by: **Mr.Imran Khan & Mr.Shiv
Charan Garg, Advocates.**

versus

ANKUR SHARMA

..... Respondent

Represented by: **None.**

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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09.02.2017

CM No.4057/2017

Allowed subject to just exceptions.

MAT.APP.(F.C.) 20/2017

1. Learned counsel for appellant states that previous counsel filed the Civil Miscellaneous (Main) laying a challenge to the impugned order dated October 08, 2016 and the problem is that the challenge is as if the order needs to be corrected under Article 227 of the Constitution of India. Being a final order an appeal would lie there against and grounds to challenge the order must be of a kind which the appellate Court could go into.

2. Faced as aforesaid learned counsel seeks leave to withdraw the petition which has now been registered as an appeal by the Registry with liberty granted to file a fresh appeal laying challenge to the impugned order.

3. Granting liberty as prayed for the appeal is dismissed as withdrawn.

CM No.4056/2017

Dismissed as withdrawn.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

FEBRUARY 09, 2017

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