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

+ CM(M) 176/2017

KARAN SACHDEVA

..... Petitioner

Through: Mr. Ankit Jain and Mr. Sarvesh Rai,
Advs.

Versus

PANNA LAL MISRA & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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18.09.2017

CM No.34265/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM(M) 176/2017 & CMs No.5789/2017 & 34264/2017 (both for stay)

3. This petition under Article 227 of the Constitution of India impugns the order (dated 7th January, 2017 in Case No.9748/2016 (Old CS No.192/2016) of the Court of Additional District Judge-04 (South-East), Saket Courts, New Delhi) of dismissal of the application filed by the petitioner/plaintiff under Order XIV Rule 5 of the Code of Civil Procedure, 1908.

4. The petition was entertained and notice thereof ordered to be issued. On 19th May, 2017, none appeared for the respondents despite service; however since the counsel for the petitioner/plaintiff was also not available,

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the hearing was adjourned to 17th October, 2017. CM No.34264/2017 filed by the petitioner/plaintiff for stay of proceedings in the Suit Court has come up today.

5. In the facts and circumstances aforesaid, the counsel for the petitioner/plaintiff has been heard on the main petition i.e. CM(M) No.176/2017 itself.

6. After full hearing, the counsel for the petitioner/plaintiff withdraws the petition.

7. Resultantly, CM No.34264/2017 listed today as well as CM(M) No.176/2017 and other pending applications are dismissed as withdrawn.

8. No costs.

9. The date of 17th October, 2017 is cancelled.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 18, 2017

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