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

+ CM(M) 227/2017 and CM Nos. 7525-27/2017

RAM KISHAN & ORS Petitioners
Through Mr. Aly Mirza and Mr. R.K. Arora,
Advocates.
versus
ZILE SINGH & ORS Respondents
Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **27.02.2017**

1. The present petition is filed seeking to impugn the order dated 27.07.2016 by which an application filed by the petitioners under Order 7 Rule 11 CPC was dismissed.
2. One of the grounds taken in the present application was that the plaintiff/respondent No.1 has in the plaint pleaded that his wife Murti Devi is holding the sale deed in respect of two rooms, the subject matter of the plaint. Hence, he submits that the wife being a necessary and a proper party has not been impleaded and hence, the suit is liable to be dismissed.
3. After some arguments, learned counsel for the petitioner submits that he would like to withdraw the present petition with liberty to raise the said contention at the appropriate stage of the suit as per law.
4. Granting the leave and liberty, the present petition is dismissed as withdrawn.
5. All pending applications also stand dismissed.

JAYANT NATH, J

FEBRUARY 27, 2017/rb