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

+ **FAO 142/2016**

GAJRAJ SINGH

..... Appellant

Through: Mr. Rajat Aneja and Ms. Chandrika
Gupta, Advs.

versus

BIMLA & ORS

..... Respondents

Through: Mr. Naresh K. Daksh, Adv. for R1.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **18.08.2017**

1. The respondents have filed the undertakings on affidavit.
2. Learned counsel for the appellant submits that para-9 in the affidavit respondent No.1 and para-8 in affidavits of respondents No.2 to 7 reflect that the undertaking is not unconditional and it smacks of malafide and dishonest intention of the respondents.
3. After hearing the learned counsels for the appellant and respondent No.1 this Court is satisfied that para-9 in the affidavit respondent No.1 and para-8 in affidavits of respondents No.2 to 7 is in clear violation of undertaking given to this Court on 06th July, 2017.
4. Learned counsel for respondent No.1 submits that respondent No.1 withdraws para 9 of his affidavit. Para 8 of the affidavits of respondents No.2 to 7 is rejected.
5. The undertaking of respondent No.1 contained in para-1 to 8 and undertakings of respondents No.2 to 7 contained in para-1 to 7 of their affidavits is accepted.

6. Learned counsel for respondent No.1 submits that the respondents have withdrawn the proceedings in terms of the order dated 06th July, 2017. Learned counsel has handed over an affidavit which is taken on record.
7. This matter is already been disposed of and need not be listed again.
8. Copy of this order be given *dasti* to learned counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

AUGUST 18, 2017
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