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

+ **MAC.APP. 289/2017**

THE NEW INDIA ASSURANCE CO LTD Appellant
Through: **Mr. Pankaj Seth, Adv.**

versus

SAHIRA & ORS Respondents
Through: **None.**

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **24.10.2017**

CM No. 452/2017(review) & 37566/2017(delay)

By the review application, the appellant/insurance company primarily seeks to point out that it had sought opportunity to lead evidence under Rule 41 Order 27 CPC by moving an application (CM No. 11344/2017) which has not been disposed of while decision was rendered on the main appeal by judgment dated 13th July, 2017.

It is noted that the contention raised in the said application was mentioned in para 3 and repelled by observation in para 6 of the Judgment dated 13th July, 2017.

In that view of the matter, the prayer in the application could and would not be survived. The application having being rendered infructuous will be treated as disposed of.

This disposes of the captioned applications.

R.K.GAUBA, J

OCTOBER 24, 2017

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