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

+ W.P.(C) 4202/2017 and CM APPL.18392-93/2017

C.B. RAWAT

..... Petitioner

Through: Dr. Naipal Singh, Advocate with
petitioner in person.

versus

THE NAV JAGRITI CGHS LTD. & ORS

..... Respondents

Through: Mr. S.K. Sharma, Advocate for R-1.
Mr. Anuj Aggarwal, ASC with Ms. Deboshree
Mukherjee, Advocate for R-2 and R-3.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER
17.05.2017

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1. The present petition has been filed by the petitioner assailing an order dated 05.10.2016 passed by the Delhi Co-operative Tribunal, dismissing his appeal against the Award dated 03.10.2006 passed by the learned Arbitrator appointed by the Registrar of Co-operative Societies, directing him to pay a sum of Rs.32,374/- to the respondent/Society towards the outstanding dues.
2. After addressing arguments for some time, learned counsel for the petitioner seeks leave to withdraw the present petition while reserving the right of his client to institute a suit for recovery against the respondent/Society towards the excess amount allegedly paid towards the cost of the flat.

3. The present petition is dismissed as withdrawn alongwith the pending applications with liberty granted to the petitioner to seek legal recourse against the respondent/Society by instituting a civil suit. We are however refraining from making any observations with regard to the maintainability of the said suit, if instituted by the petitioner, which aspect shall be examined by the concerned Court, as per law.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

MAY 17, 2017

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