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

+ CRL.M.C. 3628/2016 and Crl.M.A. No.15298/2016

SARDAR SINGH

..... Petitioner

Through: Mr. Nikhil Pillai & Mr. Ramaditya
Tiwari, Advocates.

versus

STATE & ANR.

..... Respondents

Through: Mr. Mukesh Kumar, APP along with
W/SI Asha Bisht, PS-Chanakyapuri,
for the State.
Mr. B.S. Joon & Mr. Neeraj Balhara,
Advocates for respondent No.2.

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
06.01.2017

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Learned counsel for respondent No.2 puts in appearance. He states that he has no objection to the impugned order being set aside and the matter being remanded back to the learned ASJ for a fresh decision on C.R.P. No.68/2016 after hearing the parties.

The primary grievance of the petitioner in the present petition is that the learned ASJ disposed of the said revision petition without notice to the petitioner. The said grievance stands remedied in view of the concession made by respondent No.2.

Accordingly, the impugned order dated 14.09.2016 passed by the learned ASJ in C.R.P. No.68/2016 is set aside. The matter is remanded back to the learned ASJ. He shall hear both the parties and thereafter decide the case afresh. No observation or finding returned in the impugned order shall influence the mind of the learned ASJ while deciding the case afresh.

Let the parties appear before the learned ASJ on 02.02.2017.

The petition stands disposed of in the aforesaid terms.

VIPIN SANGHI, J

JANUARY 06, 2017

B.S. Rohella