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

+ CM(M) 938/2017 and C.M. Appl. 31323/2017

DINESH DAYAL

..... Petitioner

Through: Mr. Sunder Khatri, Ms. Shital khatri
and Ms. Suman P. Singh, Advocates

versus

YOGESHWAR DAYAL (SINCE DECEASED
THR LRS) & ORS

..... Respondents

Through: Mr. Satish Sahai, Advocate for
respondents No.1 and 2
Mr. B.S. Randhawa, Advocate for
respondent No.5
Mr. Ghanshyam Mishra, Advocate

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **11.09.2017**

1. The petitioner has challenged the order dated 13th July, 2017 passed by the learned Trial Court directing defendants No.1 and 2 to lead the evidence first.
2. Learned counsel for respondents No.1 and 2 (plaintiffs before the Trial Court) submits that the petitioner before this Court is defendant No.6 before the Trial Court and he is not, in any manner, affected by the impugned order whereby the defendants No.1 and 2 have been directed to lead the evidence first.
3. Learned counsel for the petitioner concedes that the petitioner is not affected by this order. In that view of the matter, this petition is not maintainable and is dismissed.
4. Pending application is disposed of.

5. Copy of this order be given *dasti* to counsels for the parties under signatures of the Court Master.

J.R. MIDHA, J.

SEPTEMBER 11, 2017

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