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

+ LPA 585/2017

GOPAL KRISHAN KOHLI & ANR Appellants
Through: Mr. Neeraj Yadav with Mr. Saurabh
Seth and Mohd. Umar Iqbal Khan, Advs.

versus

GOVT OF NCT OF DELHI & ORS Respondents
Through: Mr. Sachin Nahar, Adv. for R-1 & 2.
Mr. Rajiv Garg with Mr. K.K. Aggarwal and
Ms. Gayatri Aggarwal, Advs. for R-3.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE SUNIL GAUR

% **ORDER**
06.09.2017

Caveat No.799/2017

Since the counsel for the respondent has entered appearance, caveat stands discharged.

CM No.32430/2017 (exemption)

Allowed, subject to just exceptions.

LPA No.585/2017 & CM Nos.32429/2017 (stay) & 32431/2017
(condonation of delay)

We have heard counsel for the parties for considerable time and are of the opinion that the Appellate Tribunal which is seized of the matter should consider the appeal, especially the application for interim relief at its earliest

convenience and in any case within ten days from today and pass an order thereon. The Tribunal shall thereafter proceed to hear the appeal expeditiously and render final judgment, on all issues. All rights and contentions of the parties to urge the question of maintainability as well as the merits of the appeal are reserved.

The appeal as well as the pending applications are disposed of in the above terms.

The Appellate Tribunal shall not hold itself precluded or bound by the observations of the Single Judge as to the issue of possession.

In the meanwhile, the respondents are directed not to create any third party rights or interest in respect of the suit property.

Learned counsel for the appellant seeks liberty to withdraw the writ petition i.e. W.P.(C) No.5755/2016 pending on the file of the Court.

Accordingly, W.P.(C) No.5755/2016 and LPA No.585/2017 are therefore disposed of as withdrawn.

Copy of the order be given dasti under the signatures of the Court Master.

S. RAVINDRA BHAT, J

SUNIL GAUR, J

SEPTEMBER 06, 2017
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