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

+ CM(M) 1171/2017 & CM No.38079/2017 (for stay)

RAJ PAL SINGH & ANR Petitioners

Through: Ms. Sukhda Dhamija Kwatra & Mr.
S.K. Rout, Advs.

Versus

UNION OF INDIA & ANR Respondents

Through: Mr. Sachin Nahar, Adv. for R-2.

AND

+ CM(M) 1179/2017 & CM No.38166/2017 (for stay)

KEHRI (SINCE DECEASED) THR LRS & ORS Petitioners

Through: Ms. Sukhda Dhamija Kwatra & Mr.
S.K. Rout, Advs.

Versus

UNION OF INDIA & ANR Respondents

Through: Mr. Sachin Nahar, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% 25.10.2017

**CM Nos.38078/2017 in CM(M) No.1171/2017 & CM No.38165/2017 in
CM(M) No.1179/2017 (both for exemptions)**

1. Allowed, subject to just exceptions.
2. The applications are disposed of.

CM(M) 1171/2017 & CM(M) 1179/2017

3. These petitions, both under Article 227 of the Constitution of India, impugn separate but identical orders both [dated 25th September, 2017 in LAC Nos.41/2016 & 10/2016 of the Court of Additional District Judge-02 (ADJ), Dwarka Courts, New Delhi] of dismissal of application under Order XVIII Rule 17 of the Code of Civil Procedure, 1908 (CPC) for leading additional evidence in support of the claim of the petitioners for enhancement of the compensation for acquisition of land.

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4. The learned ADJ, after so dismissing the applications, posted the matters for final arguments on 9th October, 2017.
 5. I have enquired the present status of the proceedings before the ADJ.
 6. The counsel for the petitioners states that final arguments are being heard and the matters are listed today also for hearing final arguments.
 7. I have enquired from the counsel for the petitioners as to how can this Court during the hearing of the final arguments, interdict with the proceedings before the ADJ.
 8. The counsel for the petitioners withdraws these petitions with liberty to urge before the ADJ that some of the additional documents placed on record have already been exhibited and should be read in evidence and to, if remains aggrieved from the judgment of the learned ADJ, in the remedy if any preferred thereagainst, also take the same pleas as urged in these petitions.
 9. Dismissed as withdrawn with liberty aforesaid.

OCTOBER 25, 2017
'gsr'

CM(M) 1171/2017 & CM(M) 1179/2017

RAJIV SAHAI ENDLAW, J

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