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

+ CM(M) 1187/2017

DIRECTOR (MEDICAL) DELHI & ORS

..... Petitioners

Through: Mr. Yakesh Anand and Mr. Nimit
Mathur, Advs.

Versus

FORSAN HEALTHCARE PVT LTD & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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27.10.2017

CM No.38474/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

CM(M) 1187/2017 & CM No.38473/2017 (for stay)

3. This petition under Article 227 of the Constitution of India impugns the order [dated 15th July, 2017 in Civil Suit No.311/2017 of the Court of Additional Senior Civil Judge, New Delhi District, Patiala House Courts, New Delhi] on an application of the respondents/plaintiffs under Order XXXIX Rules 1&2 of the Code of Civil Procedure, 1908 (CPC).
4. Order XLIII Rule 1(r) of CPC provides for an appeal against such an order.

5. The counsel for the petitioners agrees and withdraws the petition with liberty to prefer an appeal.
6. Dismissed as withdrawn with liberty to prefer an appeal.
No costs.

RAJIV SAHAI ENDLAW, J.

OCTOBER 27, 2017
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