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

+ **FAO 467/2017 & CM Nos.43302-03/2017, 43340/2017**

MADAN LAL SWEETS

..... Appellant

Through : Mr.Amit Gupta with Mr.D.K.Garg,
Mr.Abhishek Garg and Ms.Mansi Kukreja,
Advocates.

versus

MADAN LAL HALWAI

..... Respondent

Through : Mr.Mohan Vidhani, Advocate.

CORAM:
HON'BLE MR. JUSTICE S.P.GARG

ORDER
% **28.11.2017**

Caveat No.1025/17

1. Counsel for the respondent has put appearance.
2. Caveat stands discharged.

FAO 467/2017 & CM Nos.43302-03/2017, 43340/2017

1. It is informed that the matter is listed before the Trial court for disposal of application under Order XXXIX Rule 1&2 CPC on 8.12.2017.
2. It is agreed that the appellant shall file response to the said application within a week with advance copy to the other side.

3. Rejoinder to the said application shall be filed before the next date of hearing before the Trial Court.
4. The Trial Court shall endeavour to dispose of the application under Order XXXIX Ryke 1&2 CPC on 8.12.2017 or within a reasonable time thereafter.
5. In view of this, learned counsel for the appellant seeks permission to withdraw the present appeal.
6. The appeal is disposed of in the above terms.
7. All pending applications also stand disposed of.
8. Order *dasti*.

S.P.GARG, J.

NOVEMBER 28, 2017/sa