

\$~25 & 27 (common order)

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

+ CM(M) 1415/2017 and CM No.45439/2017

M/S ICICI BANK LIMITED Petitioner

Through: Mr. Punit K. Bhalla, Adv.

versus

NEPAL SINGH

..... Respondent

Through

+ CM(M) 1418/2017 and CM No.45471/2017

M/S ICICI BANK LIMITED Petitioner

Through: Mr. Punit K. Bhalla, Adv.

versus

SUNIL TYAGI

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **15.12.2017**

The petitioner is aggrieved because, on his civil suits (CS. Nos.3656/2017 & 3659/2017), the Civil Judge, by his similar orders dated 22.11.2017, has issued summons for settlement of issues and notice on the applications filed therewith for 14.12.2017, without considering the prayer for *ex parte* appointment of a receiver under Order 40 Rule 1 of the Code of Civil Procedure, 1908 (CPC), the case having been later deferred on 14.12.2017 to another distant date, the denial of immediate relief being likely to cause irreparable loss frustrating the objective.

Indeed, if a party seeks *ex parte* relief, the court is expected to pass an appropriate order, one way or the other, expeditiously within reasonable time.

The petitioner, at this stage, submitted that he may be allowed to withdraw the present petitions and the applications filed therewith and instead approach the trial court by a fresh application seeking early decision in the matters.

The petitions and the applications filed therewith are dismissed as withdrawn with liberty, as prayed, granted.

Dasti under the signature of Court Master.



R.K.GAUBA, J.

DECEMBER 15, 2017

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