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

+ CM(M) 49/2014 & CM No. 843/2014 12586/2014

NIRWAN CHARITABLE TRUST (THR ITS PRESIDENT, SHRI
MANJEET SINGH NIRWAN) & ORS Petitioners

Through: Mr. Kapil Kher, Mr. Ankur Gosain &
Ms. Namita Sharma, Advocates.

versus

S SUKHMINDER SINGH & ANR Respondents

Through: Mr. B.K. Singh, Advocate for Mr. A.
Kr. Pandey, Adv. R-1.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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18.04.2018

The present petition was filed against the order dated 04.01.2014 of the Civil Judge on the file of Civil Suit (suit no. 150/2013) to the extent thereby the application under Section 151 CPC of the plaintiff (first respondent herein) for appointment of receiver was allowed and the application of the petitioners (defendant no.1 to 5 in the suit) for rejection of the plaint under Order VII Rule 11 was dismissed. The petition insofar as it challenged the direction in the impugned order regarding appointment of the receiver has already been allowed by order dated 01.12.2015 and, therefore, no further relief is sought by the petitioners in these proceedings.

The learned counsel for the petitioners, on instructions, submitted that he may be permitted to withdraw the petition insofar as it challenged the dismissal of the application under Order VII Rule 11 CPC, his prayer being

that all the contentions may be kept open which may be agitated during the trial. Ordered accordingly.

The petition to the above effect is dismissed as withdrawn. The petitioners have the liberty to raise all the contentions urged in the context of application under Order VII Rule 11 CPC for being adjudicated upon on issues of law that may be framed.

The proceedings in the petition and the pending applications stand disposed of in above terms.

R.K.GAUBA, J.

APRIL 18, 2018

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