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

+ **FAO 157/2018 & C.M.Nos. 16959-61/2018**

JOGINDER KUMAR Appellant
Through: Mr. B. P. Sharma, Advocate.

Versus

GEETA MISHRA AND ANR. Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER
% **03.05.2018**

In view of the Office objection regarding maintainability of the FAO against an order of the Executing Court, the learned counsel for the appellant states that he would like to examine the matter.

However, after some further submissions he states, upon instructions, that the appellant is ready and willing to deposit the keys of the suit property before the Executing Court during the course of the day without prejudice to his rights and contentions and would, in the circumstances, request the Executing Court that the exercise of taking possession of the suit property through a Bailiff may be dispensed with. Therefore, he would not press this appeal with liberty to pursue his remedies, as per law.

In the circumstances, the appeal, alongwith pending applications, is dismissed as withdrawn.

Liberty granted.

A copy of this order be given *dasti* to the learned counsel for the parties under the signature of the Court Master.

NAJMI WAZIRI, J.

MAY 03, 2018

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