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IN THE HIGH COURT OF DELHI AT NEW DELHI

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C.R.P. 24/2016

VIJENDER GUPTA

.... Petitioner

Through: Mr. Bharat Gupta, Advocate with
Mr. Varun Tyagi, Advocate

versus

DHIRAJ DIXIT

..... Respondent

Through: Mr. Vishwendra Verma, Advocate with
Mr. Pranav VERma, Adv. &
Ms. Shivali, Advocate

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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22.02.2018

After some hearing, the counsel for the petitioner submits that he may be allowed to withdraw the present petition and given liberty to press the application for judgment on admissions under Order XII Rule 6 CPC to the extent the plaint seeks a decree of recovery of possession of the premises, after the parties have undertaken the exercise of admission/denial of their respective documents. The counsel for the respondent fairly concedes to this request.

Needless to add, the parties will file affidavits on the issue of admission/denial of documents before the civil judge.

The petition is dismissed as withdrawn with liberty as prayed for granted.

The learned trial Court will take a fresh decision on the request for judgment on admissions without feeling bound by the expression of opinion given in the judgment impugned by the petition at hand.

R.K.GAUBA, J.

FEBRUARY 22, 2018

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