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

+ **RFA 194/2018**

LATA SHARMA

..... Appellant

Through: Ms. Megha Gurung, Advocate.

versus

RAVINDER PRASAD JAIN & ORS

..... Respondents

Through: Mr. Ravinder Pershad, Advocate for
D-1.

Mr. Pradeep Kumar Jha, Advocate for
R-2 and 3.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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05.07.2018

1. After arguments, this appeal is disposed of with the consent order that the impugned judgment of the trial court dated 10.11.2017 is set aside and consequently the plaint will not be rejected under Order VII Rule 11 CPC. All aspects, however, on merits, including of any defence raised by the defendants/respondents with respect to limitation will be framed as issues in the suit and will be decided after trial i.e. leading of evidence by both the parties. All the issues are left open for being decided at the time of arguments.

2. The appeal is allowed and disposed of accordingly.

3. Parties to appear before the District and Sessions Judge, Central District, Tis Hazari Courts, Delhi on 2nd August, 2018 and the District

and Sessions Judge will now mark the suit for disposal to a competent court in accordance with law.

VALMIKI J. MEHTA, J

JULY 05, 2018

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