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

+ **RFA 513/2018 and C.M. Appl. Nos. 26749-52/2018**

AJAY KUMAR

..... Appellant

Through: Mr. Arav Kapoor and Mr. Divyadeep  
Chautrvedi, Advocates.

versus

RAVI KANT RATHORE

..... Respondent

**CORAM:**

**HON'BLE MR. JUSTICE VALMIKI J. MEHTA**

**ORDER**

% **10.07.2018**

1. This appeal was argued at length. *Prima facie* in the opinion of this Court the appeal is completely misconceived because admittedly there is no Agreement to Sell which sets out the agreed sale consideration or the period of performance of the Agreement to Sell. Trial court has therefore on such grounds, *inter alia*, dismissed the suit for specific performance filed by the appellant/plaintiff.

2. The matter was passed over twice at the request of counsel for the appellant and counsel for the appellant states that he has talked on phone to the appellant and who has given instructions not to press the appeal.

3. The appeal is disposed of as not pressed.

**VALMIKI J. MEHTA, J**

**JULY 10, 2018/AK**