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

+ C.R.P. 82/2018

KRISHNA DEVI & ORS

..... Petitioners

Through: Mr. N.S. Dalal and Mr. Suman
Chaudhary, Advs.

versus

KAMLESH

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **24.04.2018**

CM No. 16171/2018 (for early hearing)

For the reasons set out in the application, early hearing is granted. The revision petition is taken up for hearing today on the application moved. The application is disposed of. The next date i.e. 3rd August, 2018 stands cancelled.

C.R.P. 82/2018 and Caveat No.340/2018

The judgment sought to be assailed by the revision petition at hand was rendered by the additional district Judge in a suit seeking recovery of possession in appeal under Section 6 of Specific Relief Act, 1963, and also for decree for permanent injunction. By the impugned judgment dated 27.02.2018, reliefs have been granted on both courts and the suit of the respondent has been decreed accordingly. Such a judgment can be challenged by appeal under Section 96 of the Code of Civil Procedure, 1908 (CPC).

At this stage, the counsel for the petitioners submits that he

may be allowed to withdraw the present revision petition and instead be given liberty to approach the appellate Court under Section 96 of the CPC, 1908.

The revision petition is dismissed as withdrawn with liberty as prayed granted.

It is clarified that the above order does not dispose of the caveat No. 340/2018.

R.K.GAUBA, J

APRIL 24, 2018/uj