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

+ **RFA(OS) 101/2010 & CM APPL. No.39903/2018**

HARI KRISHAN GUPTA Appellant

Through: **Mr.Arvind Bhatt, Advocate.**

versus

PANNALAL GIRDHARLAL PVT LTD & ORS Respondents

Through: **Mr.Sandeep Mittal, Advocate for
respondent nos.1 to 5.**

+ **RFA(OS) 13/2011**

PANNALAL GIRDHARI LAL PVT LTD & ORS Appellants

Through: **Mr.Sandeep Mittal, Advocate for
appellant nos.1 to 5.**

versus

HARI KRISHAN GUPTA & ORS. Respondents

Through: **Mr.Arvind Bhatt, Advocate for
respondent no.1.**

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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29.11.2018

RFA(OS) 101/2010 & CM APPL. No.39903/2018

Learned counsel for the appellant submits that the present RFA (OS) has become infructuous, in view of the stand taken by the respondent nos.1 to 5 in the order dated 12.10.2017 in a connected CO.APP. 28/1981 titled as *Balraj Kishan Gupta v. M/s Panna Lal Girdhar Lal P. Ltd. & Ors.*, more

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particularly, paras 3 and 4 which we reproduce below:

“3. Mr.Mittal, learned counsel for the respondents No.1, 2 and 7 states on instructions from his clients that he is willing to make such a statement on the condition that none of the other parties in the present proceedings lay a special claim on the tenancy in respect of the property at Sr.No.(ii) of para 3 of the order dated 31.08.2017 in their possession.

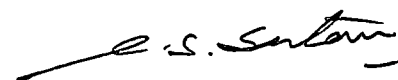
4. Mr.Lalit Gupta, learned counsel for the appellants in CO.APP. 29/1981 assures the Court that his clients will not lay any claim as tenants in respect of the premises listed at Sr.No.(ii) of para 3 of the order dated 31.08.2017. On this assurance, learned counsel for the respondent No.1, 2 and 7 states on instructions that his clients will not claim any right as a tenant in property at Turkman Gate.”

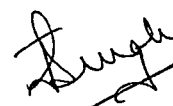
Accordingly, the present appeal is dismissed as not pressed, in view of the stand taken by the respondents in the order dated 12.10.2017.

CM application also stands dismissed, as not pressed.

RFA(OS) 13/2011

Mr.Sandeep Mittal, learned counsel for the appellant nos.1 to 5 submits that he has instructions not to press the present cross appeal, in view of the fact that RFA (OS) No.101/2010 has been dismissed as not pressed, in view of the stand taken by the appellant nos.1 to 5.


G.S.SISTANI, J


JYOTI SINGH, J

NOVEMBER 29, 2018

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RFA(OS) Nos.101/2010 & 13/2011

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