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

+ RSA 133/2017

BRIJ LAL

..... Appellant

Through: Mr. Tariq Munveer, proxy counsel with
Mr. Brij Lal, appellant in person.

versus

B C JHANGRA & ANR

..... Respondents

Through: Mr. Ashish Kr. Pandey, Adv.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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13.02.2018

On the previous date, the Court had observed as under:

“....This second appeal impugns two orders which have consistently held against him. The suit filed by the appellant was dismissed on the ground that the relief for dispossession was apropos the property no. 17-C, Old Arjun Nagar, Delhi. However, the documents in support of the claim and possession of the suit property specify plot no. 17-G, Old Arjun Nagar, Delhi, whereas the respondent/defendant had filed documents showing his right and interest in property identified as 17-C, Old Arjun Nagar, Delhi. In the circumstances, the suit was dismissed. The Appellate Court upheld the order.

After some arguments, the learned counsel for the appellant seeks time to obtain instructions....”

The case was adjourned for today at the specific request of the learned counsel for the appellant. It is stated that counsel for the appellant is not available today. The appellant is present in Court. He states that he would like to withdraw the appeal. Mr. Tariq Munveer, Advocate who is present in

Court, is appointed as the appellant's counsel for the day. After having discussed the matter with the appellant the learned counsel states that the appellant may be permitted to withdraw the appeal.

Accordingly, the appeal is dismissed as withdrawn. However, since the respondent had engaged a counsel, the appellant will pay costs of Rs. 10,000/- to the respondent. The amount of costs will be deposited in the account of the respondent being: name Mr. B.C. Jhangra, Punjab National Bank, A/c No. 3058000109339054, IFSC Code – PUNB0305800.

NAJMI WAZIRI, J

FEBRUARY 13, 2018/kk