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

+ **CONT.CAS(C) 1028/2016 & C.M. 33156/2016**

PHOENIX ARC PRIVATE LIMITED Petitioner

Through: Mr. Anil Sapra, Senior Advocate
with Mr. Suresh Dobal & Ms. Sonakshi,
Advocates

Versus

RAJ DULARI & ORS. Respondents

Through: Mr. Biswajeet Kumar Patra, Advocate
for respondent No.3

Mr. Sheetesh Khanna, Advocate for respondent No.5

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
06.12.2018

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It is stated that in view of settlement arrived at between the parties in CONT.CAS(C) 485/2016, the possession of subject premises has been handed over to Phonix Arc Private Limited. In view thereof, this Court is not inclined to proceed further with this petition.

At this stage, learned Senior Counsel for respondents submits that contemnors Jasbir Dabas and Raj Dulari & Ors. ought to tender unconditional apology for willfully avoiding to abide by the undertaking given by them.

It is true that process of handing over of possession of the subject premises has been delayed and the contemnors have tried their best to

prolong the proceedings, but since possession of the subject premises has now been handed over to Phonix Arc Private Limited, therefore, no purpose would be served by adversely commenting upon the conduct of contemnors or calling upon the contemnors to tender unconditional apology.

With aforesaid observations, this petition and application are disposed of.

(SUNIL GAUR)
JUDGE

DECEMBER 06, 2018

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