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

+ **FAO(OS) 32/2016**

HIMMAT SINGH GREWAL

..... Appellant

Through: Mr. Riju Raj S. Jamwal and Mr. Mohit
Yadav, Advocates.

versus

**AMRIT KAUR (NOW DECEASED) BERING REPRESENTED BY
LRS & ORS**

..... Respondent

Through: Mr. Ashok Chhabra, Advocate for R-1.
Mr. Ajoy B Kalia, Advocate for R-2.
Ms. Priyam Mehta, Advocate for R-3.
Mr. P.S. Khandelwal, Advocate for R-4.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

20.12.2018

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Learned counsel for the appellant has obtained instructions and states that the appellant would withdraw the present appeal without prejudice to his rights and contentions in the proceedings filed by him and also his right to challenge the final judgement, if required and necessary, in accordance with law.

Learned counsel for the respondent states that they have no objection to the withdrawal of the present appeal; but respondent also says that the appellant does not have any right to be impleaded as a party to the suit and, therefore, would have no right to challenge the judgement once passed in the civil suit.

We have recorded the said statements made by counsel for the parties. We would only record that in case appellant files an appeal challenging any judgement with an application seeking leave to appeal, the appellant's right would be examined in accordance with law.

With the aforesaid observations, the appeal is dismissed as withdrawn.

SANJIV KHANNA, J.

ANUP JAIRAM BHAMBHANI, J.

DECEMBER 20, 2018
MR