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

+ **FAO(OS) 281/2017 & C.M. No. 38920/2017 (u/O 41 CPC)**

HAMDARD NATIONAL FOUNDATION & ORS..... Appellants

Through Mr. Parag P. Tripathi, Senior Advocate along with Mr. Simran Mehta, Mr. Saket Sikri and Mr. Rishabh Kapur, Advocates.

versus

HAMMAD AHMED & ANR

..... Respondents

Through Mr. Kailash Vasdev, Senior Advocate along with Mr. Bobby Lao, Advocate for respondent No.1.

Mr. Arvind Nigam, Senior Advocate along with Mr. Satinder Bawa, Mr. Nikhil Sharda, Mr. Mehtaab Singh Sandhu, Mr. Umrao Singh Rawat, Mr. Sumer Singh Sandhu and Ms. Limayanla Jamir, Advocates for respondent No. 2.

Mr. Arun Bhardwaj, Senior Advocate along with Mr. Shreyans Singh and Ms. Ekta Mehta, Advocates for respondent No. 4.

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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04.01.2018

Mr. Parag P. Tripathi, learned Senior Counsel appearing on behalf of the appellants, on instructions, seeks leave to withdraw this appeal, in view of the circumstance that the applications, being I.A. No. 4339/2017 (under Order 39 Rule 1 and 2 CPC), I.A. No. 5786/2017 (under Order 7 Rule 14

CPC) and I.A. No. 6569/2017 (under Order 39 Rule 1 and 2 CPC) in CS (OS) No. 164/2017 titled as “*Hamdard National Foundation (India) & Ors. vs. Bank of India and Anr.*’, are still pending adjudication before a learned Single Judge of this Court and are now stated to be listed for hearing on 11th January, 2018.

In view of the circumstance that the aforesaid IAs are still pending adjudication before a learned Single Judge, the appellants are permitted to withdraw this appeal at this stage.

Leave granted.

The appeal is disposed of accordingly. Pending application also stands disposed of.

SIDDHARTH MRIDUL, J

DEEPA SHARMA, J

JANUARY 04, 2018

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