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

+ CM(M) 943/2015 and CM APPL.22618/2015 (stay)

MAHENDER SINGH Petitioner

Through: Dr. Shambuji, Advocate

versus

KAMLA DEVI & ORS Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **09.02.2018**

After some hearing, the learned counsel for the petitioner submits that he may be allowed to withdraw the present petition and the applications filed therewith, his only grievance being that the trial court has made certain observations in the order dated 10.07.2015 about the effect or validity of the documents which is yet to be tested, which may be clarified to be tentative in nature.

Given the fact that the observations have been recorded in the context of the application of the respondent (defendant in the suit) under Order VIII Rule 1-A(3) of the Code of Civil Procedure, 1973 (CPC), such observations cannot be treated as final expression of opinion on the subject of genuineness, validity or effect of the documents.

With this clarification recorded, the petition and the applications filed therewith are dismissed as withdrawn.

R.K.GAUBA, J.

FEBRUARY 09, 2018/vk