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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA(OS) 1/2019 & CM APPL. 602/2019**
NEETU CHADHA@ NITU CHADHA Appellant
Through **Mr. Pardeep Gupta, Mr. Parinav**
Gupta, Mr. Moazzam Ali, Advocates.
versus

NINI CHADHA & ORS Respondent
Through **Mr. S.C. Singhal, Advocate.**

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% **14.08.2019**

1. The present appeal is directed against an order dated 31.10.2018, passed by the learned Single Judge in CS (OS) No. 121/16, whereby a preliminary decree was passed in respect of the ground floor of the suit property situated at Naveen Shahdara by declaring that the respondent no.1/plaintiff, the appellant/defendant no. 1 and the respondents no. 2-4/defendants no. 2-4 would be entitled to 1/5th undivided share each therein.
2. Learned counsel for the appellant states that on 29.07.2019, a final decree of partition in respect of the ground floor of the subject property has been passed by the learned Single Judge. He, therefore, states that he does not propose to press the present appeal while reserving the right of his client to assail the order dated 29.07.2019 by taking all grounds available to her, including those raised in this appeal. A copy of order dated 29.07.2019 is handed over and taken on record.

3. Leave as prayed for is granted. The present appeal is dismissed as withdrawn alongwith the pending application.

HIMA KOHLI, J

ASHA MENON, J

AUGUST 14, 2019/MK