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

+ RFA 102/2019 & CMs 5388-93/2019

AKASH SHARMA

..... Appellant

Through: Mr. Bahar U. Barqi, Advocate.

versus

SANJAY KUMAR JAIN & ANR.

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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05.02.2019

1. This appeal and all pending applications are disposed of as not pressed in view of the fact that since the appellant was not a party to the suit resulting in the impugned judgment and decree dated 27.11.2013, therefore, the remedy of the appellant would be to file objections in execution proceedings, and for which a complete procedure is provided in CPC from Order 21 Rule 97 to 106. In fact, Rule 101 of Order 21 CPC bars filing of a suit as all issues have to be decided in execution proceedings.

2. Giving the aforesaid liberty, the appeal is disposed of as not pressed.

VALMIKI J. MEHTA, J

FEBRUARY 05, 2019/ib