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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) 14/2019, C.M. APPL.3103-3105/2019**
DINESH GUPTA Appellant
Through : Sh. Yash Anand and Sh. Subodh Kumar
Pathak, Advocates.

versus

NAVEEN KUMAR GUPTA Respondent
Through : None.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE PRATEEK JALAN

% **ORDER**
23.01.2019

The appellant is aggrieved by the orders of the learned Single Judge dated 19.09.2018 and 26.11.2018 whereby he and his wife were directed to remain present with complete sets of original documents (mentioned in the order dated 19.09.2018). The documents were referred to in paras 5 to 12 of the I.A. 23574/2014. It is urged that the plaintiff had consented when the preliminary decree was made (on 09.04.2013), and that both agreed that the firm M/s. Naveen Packers stood dissolved with effect from 31.05.2010. It is further stated that the plaintiff did not take further steps to lead evidence on the aspects it was required to.

This Court is of the opinion that the contentions sought to be urged cannot be gone into at this stage in appeal. In these circumstances, the learned counsel submits that liberty may be

granted to move an application urging these contentions before the learned Single Judge.

Liberty granted.

In the event of such application, the learned Single Judge shall consider the averments and pass appropriate orders in accordance with law. The appeal is accordingly dismissed as withdrawn.

S. RAVINDRA BHAT, J

PRATEEK JALAN, J

JANUARY 23, 2019/ajk