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

+ **MAT.APP.(F.C.) 187/2018 & CM APPL. 31558/2018**

MADHO SINGH CHAUHAN

..... Appellant

Through: Mr.S.S. Jain, Advocate along with the
appellant in person.

versus

RITU @ RITA

..... Respondent

Through: Mr.K. Sunil and Mr.Chinky Ojha, Advs

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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07.08.2019

1. The appellant is aggrieved by the judgment dated 6.3.2018, passed by the Principal Judge, Central District Family Courts, disposing of his suit for permanent and mandatory injunction instituted against his erstwhile wife, respondent / defendant no.1.
2. After addressing arguments for some time, learned counsel for the appellant states that he may be permitted to withdraw the present appeal, while reserving the right of his client to seek appropriate legal remedy in respect of the third floor of the subject premises i.e. the *barsati* floor, against the respondent.
3. Learned counsel for the respondent states that if the Court is inclined to grant leave to the appellant, as prayed for, then the respondent reserves her right, to oppose the maintainability of the said suit.
4. The present appeal is accordingly disposed of, as not pressed, with

liberty granted as prayed for and reserving the right of the respondent to oppose the suit that may be instituted by the appellant in respect of the third floor of the subject premises, in accordance with law.

HIMA KOHLI, J

ASHA MENON, J

AUGUST 07, 2019
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