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

+ **FAO 397/2017 & CM Nos.37144/2017 and 7201/2018**

SATENDER SOLANKI Appellant

Through: Mr. Rajmangal Kumar, Advocate.

versus

DDA & ORS Respondents

Through: Mr. M.S. Naruala, Advocate for R3.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **27.02.2019**

Mr. Rajmangal Kumar, Advocate for the plaintiff submits that vide order dated 26.08.2017 passed by the Court of Id. ADJ-02, West District Delhi, in Civil Suit No. 46/17/2005 (new No.613044/2016) dismissing the application of the plaintiff-appellant under Order 39 Rule 1 & 2 of Code of Civil Procedure, 1908 (CPC), is the subject matter of the challenge in this appeal.

Counsel for the petitioner submits that during the pendency of this appeal, the said suit has been dismissed by judgment and decree dated 21.05.2018 which has been challenged by him in an appeal being RFA No. 520/2018.

In the circumstances, when the suit in which the interim order dated 26.08.2017 was passed, has already been disposed of by the trial court, nothing survives in the appeal.

The appeal stands disposed of accordingly.

VINOD GOEL, J.

FEBRUARY 27, 2019/neelam