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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EX.P. 18/2020, EA No.239/2020, EA No.240/2020 &
EA No.241/2020

NIDHI SURI

..... Decree Holder

Through: Ms. Vinny Shangloo, Adv.

Versus

BALDEV RAJ ARORA & ORS.

..... Judgement Debtors

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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18.02.2020

1. Execution under the Code of Civil Procedure (CPC), 1908 is sought of the order dated 11th December, 2014 read with order dated 8th January, 2016 in WP(C) No.5668/2012.
2. The Registry of this Court raised an objection as to the maintainability of Execution Petition under the CPC, for enforcement of an order in writ jurisdiction.
3. However, on the counsel for the petitioner making an endorsement that the execution was maintainable and that she will satisfy the Court, the Execution Petition has been listed subject to office objection.
4. I enquired from the counsel for the petitioner the same question as the Registry had put. However it appears the counsel, in spite of making the endorsement aforesaid, was not prepared therefor and sought a passover to study.

5. The counsel for the petitioner, on passover, in the light of judgment titled *Shambhu Nath Das Vs. Director of Education* 2016 (231) DLT 312 seeks to withdraw the Execution Petition with liberty to take/pursue appropriate remedies.

6. The Execution Petition is dismissed as withdrawn with liberty aforesaid.

RAJIV SAHAI ENDLAW, J.

FEBRUARY 18, 2020

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