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

+ **OMP (ENF.) (COMM.) 163/2018**

ANIL KAPOOR & ORS. Decree Holders

Through: **Mr.A.K. Tripathi, Adv.**

versus

RAMAN KAPOOR Judgement Debtor

Through: **None.**

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **19.02.2020**

EX.APPL.(OS)249/2020 (for modification of order dt.03.02.2020)

1. The present application filed by the judgment debtor(JD) seeks modification of the order passed by this Court on 03.02.2020, on which date, after some arguments, learned counsel for the JD, on instructions from the JD, had prayed that since the JD was willing to vacate the premises, he may be granted six months' time to do so. For that purpose, the JD sought two weeks' time to file an undertaking by way of an affidavit in this regard. Instead of filing the undertaking, the JD has now filed this wholly misconceived application seeking recall of that order and a hearing of the enforcement petition on merits.

2. After arguments at some length, learned counsel for the JD, on instructions from the JD who is present in Court, seeks liberty to withdraw the present application and submits that the undertaking, in

terms of the order dated 03.02.2020, will be filed positively during the course of the day.

3. The application is dismissed as withdrawn with liberty as prayed for.

REKHA PALLI, J

FEBRUARY 19, 2020
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