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

+ **RC.REV. 392/2015**

JAVED AKHTAR

..... Petitioner

Through: None.

versus

NAYABUDDIN

..... Respondent

Through: Mr. M.S. Khan and Mr. Mohd. Sajid,
Advocates for applicant.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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02.03.2020

CM APPL.8485/2020 (exemption)

Exemption is allowed subject to all just exceptions.

CM APPL. 8444-45/2020

1. By these applications, applicant seeks impleadment and direction to the petitioner/tenant to deposit the keys in Court.
2. Subject petition was filed by the petitioner impugning the order of eviction consequent to dismissal of his Leave to Defend application.
3. By order dated 20.02.2019, this revision petition was disposed of granting petitioner time to vacate the tenanted premises on or before 01.03.2020.

4. Learned counsel submits that applicant is not aware as to whether the premises have been surrendered or not. He however submits that a notice was issued to the petitioner as well as to respondent prior to filing of the subject application. He further submits that a Suit for Partition is pending inter se the applicant and respondent.

5. Learned counsel seeks liberty to withdraw the applications with liberty to approach the concerned Civil Court where the Suit for Partition *inter alia* between the applicant and respondent is pending.

6. Applications are accordingly dismissed as withdrawn with liberty to the applicant as prayed for. All rights and contention of the parties are reserved.

7. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MARCH 02, 2020

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