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

+ LPA 134/2024 & C.M.Nos.9890-9893/2024

PRATAP SINGH RATHI AND ANR

..... Appellants

Through: Mr.P.V.Kapur and Mr.Jayant
Bhushan, Sr.Advocates with Mr.Ravi
Nanda, Ms.Madhurima Sarangi,
Mr.Amartya Bhushan, Mr.Tushar
Bhushan and Mr.Varun Kumar,
Advocates.

versus

SURESH KUMARI AND ORS

..... Respondents

Through: Mr.Sunil Dalal, Sr.Advocate with
Ms.Manisha Saroha, Mr.Nikhil
Beniwal and Mr.Navish Bhati,
Advocates for R-1.
Mr.Kirtiman Singh, CGSC with
Mr.Waize Ali Noor, Mr.Varun
Rajawat, Mr.Kartik Baijal, Mr.Varun
Pratap Singh, Ms.Vidhi Jain and
Ms.Shreya V.Mehra, Advocates for
UOI.
Ms.Jyoti Taneja with Mr.Shivek
Trehan, Ms.Deboshree Mukherjee,
Mr.Adityaraj Patodia and Ms.Rishika
Goyal, Advocates for R-12.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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19.02.2024

1. After some arguments, learned senior counsel for the appellants states that he would like to withdraw the present appeal and applications with



liberty to file application for recall / modification of the impugned ex parte order before the learned Single Judge. With the aforesaid liberty, the present appeal stands disposed of.

2. In the event, the application for recall/modification of the impugned order is filed within three working days, the learned Single Judge is directed to decide the said application in accordance with law as expeditiously as possible, preferably, within three weeks.

3. To assuage any doubts, it is clarified that the observations made in the impugned order are *prima facie* in nature and the learned Single Judge would be at liberty to take a view upon the application being filed by the appellant.

4. This Court clarifies that it has not commented on the merits of the controversy. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 19, 2024
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