



\$~44

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

+ C.R.P. 76/2024

BALRAM AGGARWAL SINCE DECEASED THR LR
DEEPAK AGGARWAL AND ORS Petitioners

Through: Mr. Praveen Suri, Adv.

versus

SHRI MANOJ AGGARWAL AND ORS Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **21.02.2024**

CM APPL. 10743/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

C.R.P. 76/2024 & CM APPL. 10744/2024 (stay)

1. By way of the present revision petition, petitioner, who is defendant No.4 in the appeal pending before the learned Additional Civil Judge, is aggrieved of order dated 13.02.2024, whereby, the learned Trial Court found that although the certified copy of the impugned order dated 06.06.2023 had not been filed along with memorandum of appeal and was filed after downloading the same from the websites Delhi District Courts, and further for the fact that later on even the certified copy has been filed, no grounds existed for the appeal being not maintainable. Evidently, the irregularities have been cured.

2. After some arguments, learned counsel appearing for the



petitioners submits that he may be permitted to withdraw the present revision petition, with the request to keep his objections still open to be decided by the learned Trial Court. Learned Trial Court shall endeavour to decide the appeal including the objections in a time-bound manner

3. Accordingly, the revision petition along with pending application is dismissed as withdrawn.

DHARMESH SHARMA, J.

FEBRUARY 21, 2024/ck