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

+ C.R.P. 152/2024

MANAV MISHRA

..... Petitioner

Through: Ms. Antima Bazaz, Adv.

versus

PRADEEP KAPOOR AND ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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15.05.2024

CM APPL. 28897/2024 (Ex.)

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

C.R.P. 152/2024 and CM APPL. 28896/2024 (Stay)

3. The petitioner, who is defendant no.2 in the suit instituted by the respondent No.1/plaintiff is assailing the impugned order dated 15.04.2024 whereby the learned Trial Court has passed an order for appointment of a Local Commissioner who happens to be the Junior Engineer PWD in order to find out the cause of the seepage from the overhead water tank. It is acknowledged that the Local Commissioner visited the spot on 22.04.2024 and a report has been submitted.
4. None appeared on behalf of the respondents despite advance notice.
5. After some arguments, learned counsel for the petitioner requests permission to withdraw the present civil revision petition. The same is dismissed as withdrawn without prejudice.

DHARMESH SHARMA, J.

MAY 15, 2024

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