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IN THE HIGH COURT OF DELHI AT NEW DELHI

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FAO(OS) 91/2022 & C.M.Nos.12692/2023, 12775/2023

AMIT SAXENA

..... Appellant

Through: Mr.Abhimanyu Bhandari with
Mr.Cheitanya and Ms.Srishti
Banerjee, Advocates.

versus

NITIN SAXENA

..... Respondent

Through: Mr.Pawan Singh Bindra with
Ms.Mudhu Sudan, Mr.Vikhyat
Oberoi and Mr.Ankit Kakar
Advocates.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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03.05.2024

1. After some arguments, there is consensus between the parties that para no.5 of the impugned order dated 02nd June, 2022 and para 6 of the impugned order dated 27th July, 2022 shall be deemed to have been passed in the application filed under Order XXXIX Rules 1 & 2 CPC and not under Order XXXIX Rule 2A CPC.

2. Consequently, the said impugned orders are open to variation and modification in the pending application under Order XXXIX Rules 1 & 2 CPC.



3. With the aforesaid clarification, present appeal along with the pending applications stands disposed of. The rights and contentions of all the parties are left open.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

MAY 3, 2024
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