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

+ **FAO 183/2024**

RAVI SARAF

..... Appellant

Through: Mr. C. P. Vig, Adv.

versus

T N LUTHER HUF AND ORS

..... Respondents

Through: Mr. Rishabh Bansal and Ms.
Himanshi Malhotra, Advs.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

29.05.2024

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CAV 260/2024

1. Since learned counsel for the caveator / respondent has entered appearance, the caveat stands discharged.

CM APPL. 33148/2024—Exp.

2. Allowed, subject to all just exceptions.

3. Application stands disposed of.

FAO 183/2024, CM APPL. 33147/2024--stay

4. The present appeal under Section 37(1) of Arbitration & Conciliation Act, 1996 has been filed to assail the order dated 18.04.2024 passed by learned District Judge-04, South-East District, Saket Courts, New Delhi in CS DJ No. 630/23 titled as “T N Luther (HUF) and Ors. vs. Ravi Saraf” whereby the application moved on behalf of the appellant under Section 8 of



the Arbitration & Conciliation Act, 1996 was dismissed.

5. Learned counsel for respondents appears on caveat and submits that vide order dated 09.05.2024 passed by learned Trial Court, the application moved on behalf of the respondents herein under Order XII Rule 6 CPC has been allowed and the appellant herein has been directed to handover the suit property to the respondent within a period of 30 days from 09.05.2024.

6. At this stage, learned counsel for the appellant submits that he will be preferring an appeal against the said order and also submits that he shall also take the ground with respect to the dismissal of the application under Section 8 of the Arbitration & Conciliation Act, 1996 in the appeal for which liberty be granted and accordingly, he seeks permission to withdraw the present appeal.

7. Permission granted to withdraw with liberty to move before appropriate Forum, as per law.

8. Accordingly, the present appeal stands disposed of.

SHALINDER KAUR, J

MAY 29, 2024/ss