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

+ LPA 473/2024, CM APPL. 34592/2024-Exp, CM APPL. 34593/2024-Delay 17 days in filing appeal, CM APPL. 34594/2024-Delay 70 days in re-filing appeal.

RAJBIR SINGH

..... Appellant

Through: Mr. K. C. Mittal and Mr. Keshav Poonia, Advs.

versus

THE CHAIRMAN AIRPORT AUTHORITY OF INDIA AND ORS.

..... Respondents

Through: Ms. Anjana Gosain and Ms. Nippun Sharma, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

31.05.2024

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1. The present appeal seeks to assail the order dated 02.02.2024 whereby the Review Petition bearing no.251/2022 filed by the appellant seeking review of order dated 23.02.2022 has been dismissed by the learned Single Judge.

2. After some arguments, learned counsel for the appellant submits that since the appellant has not assailed the primary order dated 23.02.2022 which was subject matter of the Review Pet.251/2022, he may be granted leave to withdraw the present appeal with liberty to file a comprehensive appeal assailing both the orders i.e. order dated 23.02.2022 as also order



dated 02.02.2022.

3. Taking into account that the appeal is still at a preliminary stage, the present appeal is dismissed as not pressed with liberty as prayed for.
4. Needless to state that if the appellant files a fresh appeal, the same will be considered on its own merits.

REKHA PALLI, J

SAURABH BANERJEE, J

MAY 31, 2024/rr