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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3151/2024**
SHAMIM ZAFAR & ANR.Petitioners
Through: Mr. Shekhar Prit Jha with Ms. Preeti,
Advocates.

versus
DILAWAR HUSSAIN MALIK AND ORSRespondents
Through: Mr. Md. Azam Ansari, Advocate for
R-3.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
% **21.08.2024**
CM APPL. 47911/2024 (exemption)

Exemption allowed, subject to all just exceptions.

CM APPL. 47909-47910/2024

1. Respondent No. 3 is aggrieved by the order dated 12.08.2024 whereby the petition filed by the petitioner was permitted to be withdrawn with liberty to agitate the issues raised in the present petition at the stage of final arguments before the learned Executing Court
2. It needs to be recapitulated that in relation to the objections filed by the respondent, the issues had already been framed and the trial was underway. In between, an application was moved seeking striking off issue no. 1 and such request was declined by the learned Executing Court. Such order was challenged by the petitioner herein and after hearing arguments for some time, the above said petition filed by the petitioners was dismissed as withdrawn with liberty as above.
3. Needless to say, the decision with respect to the issues framed by the

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learned Executing Court has to be in accordance with law.

4. In view of the above, learned counsel for respondent No. 3 states that he does not wish to press the present application.

5. The same is accordingly disposed of as not pressed.

MANOJ JAIN, J

AUGUST 21, 2024_{/sw}