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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3396/2024, CM APPL. 53865/2024, CM APPL. 53866/2024**
& CM APPL. 53867/2024

MANOJ KUMAR

.....Petitioner

Through: Mr. Hameed S. Shaikh, Mr. C.
Adhikesavan and Mr. Amar Pal,
Advocates

versus

HIMGIRI AUTO FINANCE PVT. LTD.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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13.09.2024

CM APPL. 53866/2024 (exemption)

Exemption allowed, subject to all just exceptions.

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1. Petitioner is defendant before the learned Trial Court and has challenged order whereby leave to defend was granted subject to the condition that he would deposit principal amount of Rs. 1.30 lacs in the Court.
2. Order was passed way back on 17.12.2022.
3. Learned counsel for the petitioner/defendant has, however, stated that there is material development as the suit, as such, has already been decreed by the learned Trial Court on 06th instant. He, therefore, states that present petition has become infructuous and may be disposed of accordingly. He also submits that he would file appeal and the contentions raised in the present

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petition would be raised in appeal. He seeks liberty to said effect.

4. In view of the above, present petition stands disposed of as having become infructuous. Liberty, as prayed is granted.

5. All the rights and contentions of the parties are reserved.

MANOJ JAIN, J

SEPTEMBER 13, 2024/dr