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

+ **RFA 657/2024**

MAHESH KUMAR AND ANR

.....Appellants

Through: Mr. Abhay Kumar and Mr. Avanish
Kumar, Advocates

versus

YOGITA DEVI AND ORS

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **26.09.2024**

[Physical Hearing/Hybrid Hearing (as per request)]

CM APPL. 55510/2024 (exemption)

1. Allowed, subject to all just exceptions.

RFA 657/2024 & CM APPL. 55509/2024 (stay)

2. The present appeal assails rejection of counter claim for the reason that despite repeated directions, necessary court fees was not filed. Learned counsel for appellants submits that the necessary court fees had already been filed on 29.07.2024, so the impugned order dated 07.08.2024 is clearly an error on the face of record. That being so, learned counsel for appellants seeks permission to withdraw this appeal with liberty to file review application before the learned Trial Court.

3. Accordingly, the appeal as well as the application are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

SEPTEMBER 26, 2024/rk

[Click here to check corrigendum, if any](#)