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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3498/2024 & CM APPL. 56982-56984/2024**
JAGDEV RAJ KAPOOR THROUGH LRPetitioner
Through: Mr. P.S. Bindra, Senior Advocate with
Mr. Arjun Mahajan, Ms. Neha Rai and
Ms. Jahnvi Singh, Advocates

versus

ROOP KISHORE RASTOGIRespondent
Through: Mr. Sonal Sinha, Advocate

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
27.09.2024

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1. Learned counsel for respondent appears on advance notice and, at the very outset, informs that an appeal is already pending before the learned First Appellate Court and during course of such hearing, the petitioner herein has himself filed an application under Order XLI Rule 5 CPC impugning the same very order i.e. order dated 29.07.2024, which is impugned in the present petition.
2. Learned Senior Counsel for petitioner, after taking requisite instructions, states that he had not been properly briefed in this regard and realizing the aforesaid fact, he states that he may be permitted to withdraw the present petition unconditionally.
3. Present petition is accordingly disposed of as not pressed.

MANOJ JAIN, J

SEPTEMBER 27, 2024/dr