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

+ **CONT.APP.(C) 4/2025 & CM APPL. 4831/2025**

STATE OF NCT OF DELHI

.....Appellant

Through: Mr. Sanjay Kumar Pathak, Standing
Counsel with Mrs. K K Kiran, Mr.
Sunil Kumar Jha & Mr. Divakar
Kapil, Advs.

versus

M/S KAMDHENU ENTERPRISES

.....Respondent

Through: Mr. Sultan Singh Khatri, Mr. D V
Khatri, Ms. Misha Rohatgi Mohta &
Mr. Aditya Dinghra, Advs.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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04.11.2025

1. In view of settled principle of law as laid down in the judgment of the Apex Court in *Midnapore Peoples' Coop. Bank Ltd. v. Chunilal Nanda* (2006) 5 SCC 399, counsel appearing for appellant seeks leave to withdraw this appeal with liberty to take recourse to such remedies, as may be permissible and available under law.
2. As such, instant appeal stands dismissed as withdrawn reserving the liberty, as provided hereinabove.
3. In case the issue of limitation crops up in the matter of taking recourse to another remedy, time consumed in present proceedings shall be taken into account.
4. Interim orders passed by this Court shall continue for a period of 4



weeks from today.

5. This appeal stands dismissed as withdrawn.
6. Pending application is rendered infructuous.
7. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 4, 2025/sm/sp