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

+ **FAO 8/2025, CM APPL. 1811-12/2025**

SHIV KUMAR SEHGAL & ANR.Appellants

Through: Mr. Pradeep Kumar, Advocate.

versus

SHIV KUMAR DHIR & ORS.Respondents

Through: Mr. Arun Panwar, Adv. for R-3

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

14.01.2025

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1. The present appeal is directed against the order dated 17.09.2024 passed by the learned District Judge-02, North District, Rohini Courts, Delhi in CS No. 584/2019 whereby the application under Order 39 Rules 1 and 2 CPC filed by respondent no.1 has been allowed.
2. While allowing the application, the trial court restrained defendant no.3 Balbir Singh from selling third party interest or from selling the suit property till the disposal of the suit.
3. Admittedly, the appeal is not filed by Balbir Singh, defendant no.3 and legal heirs of Balbir Singh have been impleaded as respondent no.2 in the present appeal.
4. Learned counsel for the petitioner submits that the grievance of the petitioner is only with regard to the observations made by the trial court in para 25.
5. At this stage, the learned counsel for petitioner seeks permission to



withdraw the present appeal with liberty to file an appropriate application before the trial court for redressal of his grievance.

6. The statement made by learned counsel is taken on record and the appeal is dismissed as withdrawn.

RAVINDER DUDEJA, J

JANUARY 14, 2025/ib