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

+ **EX.F.A. 10/2023 & CM APPL. 15516/2023**

AMIT KUMAR

.....Appellant

Through: Mr. Ratnesh Bansal, Advocate.
versus

**SH SHANKAR LAL THROUGH
HIS LEGAL HEIRS & ANR.**

.....Respondents

Through: Mr. Anil Panwar, Mr. Tanishq
Panwar, Ms. Arushi A. Panwar and
Mr. Sahej Sawhney, Advocates for R-
2.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

13.04.2026

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1. This hearing has been done through hybrid mode.
2. The present appeal under Order 21 Rule 103 of the CPC read with Section 96 of the CPC seeks the following prayers:-

“a. To call entire record of the the executing court presently presided by Ms. Vandana, ADJ-08, Central, Tis Hazari Court, Delhi in Execution no. 23844/2016 title as “Amit Kumar Versus Shanker Lal” which is now fixed for 31.03.2023.

b. To set aside the impugned order dated. 20.09.2022 passed by the court of Sh. Hemraj, ADJ-08, Central, Tis Hazari Court, Delhi (now presided by Ms. Vandana, ADJ-08) in Execution no, 23844/2016 title as “Amit Kumar Versus Shanker Lal” thereby to dismiss the objection of the respondent no.2 and allow the present Appeal.

c. Pass any other or further order or direction which this Hon’ble court may deems fit and appropriate under the facts and circumstance of the case as well as in the interest of justice in favour of the Appellant and against the respondents.

d. Cost of this Appeal may also award in favour of the Appellant and against the respondents.”



3. Learned counsel appearing on behalf of the appellant, without prejudice to the rights and contentions of the latter, seeks leave to withdraw the present appeal with liberty to take all the pleas in the present appeal before the learned Executing Court in accordance with law.
4. Leave and liberty granted.
5. The present appeal is dismissed as withdrawn and disposed of accordingly.
6. The interim order granted *vide* order dated 29.03.2023 stands vacated.
7. Needless to state that the learned Execution Court shall determine the *lis* between the parties on its own merits.
8. Copy of the order be sent to the concerned learned Executing Court for necessary information and compliance.
9. Pending application(s), if any, also stand disposed of.
10. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

APRIL 13, 2026/sn/sg