

12.10.2017 **Present:** Mr. Bhupender Gupta, Sr. Advocate with Mr. Neeraj Gupta, Advocate for the appellant.

Mr. Rajnish K. Lall, Advocate for respondent No.1.

Respondents No. 2 to 5, 7,9,10,12 and 13 ex parte.
Names of respondents No.6,8 and 11 stand deleted.

When this case was taken up for arguments Mr. Bhupender Gupta learned Senior Counsel, on instructions, submits that the judgment and decree passed by learned appellate court per se is bad in law, as learned appellate court while adjudicating upon the appeal so filed by present respondents erred in not appreciating that the appeal so filed before it was not maintainable, as learned trial court while dismissing the suit so filed by present respondents had decreed the counter claim and present respondents in their wisdom chose only to file a single appeal before learned appellate court which single appeal as per Mr. Gupta learned Senior Counsel was not maintainable before the learned trial court. Faced with this situation, Mr. Rajnish K. Lall prays that some time be granted to ascertain this fact. Request not opposed. List on 22.11.2017.

(Ajay Mohan Goel)
Judge

12th October, 2017
(Guleria)