

18.12.2019 Present: Appellant/non-applicant is present in person.

Mr. Bimal Gupta, Senior Advocate, with Ms. Kusum Chaudhary, Advocate, for respondents No. 1 to 7/applicants in CMP No. 3626 of 2019.

None for respondents No. 8(a) to 8(c) and 9 to 12.

Mr. Naveen K. Bhardwaj, Advocate is also present in the Court.

Appellant Smt. Bimla Devi, who is present in the Court in person and has been duly identified by her previous counsel Mr. Naveen K. Bhardwaj, Advocate, states that she does not intends to pursue the present appeal any further and she may be permitted to withdraw the same.

Learned Senior Counsel for for respondents No. 1 to 7 submits that if the appeal is being withdrawn, it may be observed that the appellant/applicant shall not claim any equity with regard to any construction activity, which was carried out during the pendency of the appeal.

Ordered accordingly. The appeal is permitted to be withdrawn, however, with the observation that the appellant/applicant shall not claim any equity with regard to construction etc., which has been carried by her during the pendency of the appeal.

In view of the fact that the appeal itself stands withdrawn by the appellant, the application filed under Order 39, Rule 2-A read with Section 151 of the Code of Civil Procedure and Section 12 of the Contempt of Courts Act is closed, however, with the observation that as has been

mentioned hereinabove also, no equity shall be claimed by the appellant/applicant with regard to construction etc., which has been carried during the pendency of the appeal.

The appeal stands disposed of in above terms, so also pending miscellaneous applications, if any.

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At this stage, the appellant again personally appeared in the Court and states that she does not wants to withdraw the appeal. Accordingly, order in totality is recalled.

List the appeal before another Bench, at the pleasure of Hon'ble the Chief Justice.

(Ajay Mohan Goel)
Judge

December 18, 2019
(bhupender)