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Delhi High Court - Orders

Ms. Saraswati Sara Richardson Jones & ... vs H.H. Lokanath Swami & Ors on 17 April, 2023

Author: Siddharth Mridul

Bench: Siddharth Mridul

$~S-42
* IN THE HIGH COURT OF DELHI AT NEW DELHI
\+ FAO(OS) 49/2023, CM APPL. 18409/2023 (Stay) & CM APPL. 18410/2023 (Exemption)
MS. SARASWATI SARA RICHARDSON JONES & ANR.
..... Appellants
Through: Mr. Vivek Sood, Senior Advocate with Mr. Ajay Garg, Ms. Tripti Gola, Ms. Lhingdeihat Chongloi, Mr. Arvind Sardana, Mr. Shashwat Bhardwaj & Mr. Saurabh Aggarwal, Advocates for appellant no. 1.
Mr. Ajay Garg, Ms. Tripti Gola, Ms. Lhingdeihat Chongloi, Mr. Arvind Sardana, Advocates for appellant no. 2.
versus
H.H. LOKANATH SWAMI & ORS. ..... Respondents
Through: Mr. Rakesh Taneja & Mr. Shivang Goel, Advocates for R-1.
Mr. Tejas Karia, Mr. Varun Pathak & Ms. Vibhuti Vasisth, Advocates for R-2.
Mr. Deepak Gogia & Mr. Aadhar Nautiyal, Advocates for R-3.
CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL
HON'BLE MR. JUSTICE VIKAS MAHAJAN
ORDER

% 17.04.2023 The present appeal under Order 43 Rule 1 (r) of the Code of Civil Procedure, 1908 (CPC), read with Section 104 of the CPC has been instituted on behalf of the appellants, praying as follows:

> 'It is, therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to:- It is, therefore, most respectfully prayed that this Hon'ble Court may kindly be pleased to:-

> (a) admit and allow the present appeal and set aside/quash the impugned Order dated 15.03.2023 as passed by the Ld. Single Judge of this Hon'ble Court in CS(OS) No.179/2023 titled as 'H.H. Lokanath Swami Vs. Ms. Saraswati (Sara) Richardson Jones & Ors.' in the interest of justice;

> (b) cost of the appeal be also awarded in favour of the appellants/defendant no.1 & 2 and against the respondent no.1/plaintiff;

> (c) any other order/relief/direction may also kindly be passed in favour of the appellants/defendants no.1 &

2 and against the respondent no.1/plaintiff as this Hon'ble Court may deem fit, just and proper according to the facts and circumstances of the present case.' In view of the circumstance that the present is an ad-interim order passed by the learned Single Judge, at the first hearing of the subject suit; Mr. Vivek Sood, learned Senior Advocate appearing on behalf of the appellant no. 1, on instructions, seeks leave to withdraw the present appeal, with liberty to approach the learned Single Judge, by way of an appropriate application seeking advancement of the date of hearing, out of which the impugned order arises, in accordance with law.

Leave and liberty granted.

The appeal is dismissed as withdrawn, and disposed of accordingly. All pending applications also stand disposed of.

Copy of the order be uploaded on the website of this Court.

SIDDHARTH MRIDUL, J VIKAS MAHAJAN, J APRIL 17, 2023/at Click here to check corrigendum, if any