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

+ LPA 423/2017 and C.M. No. 21734/2017

**BHARAT BUILDTECH PVT LTD**

..... Appellant

Through: Ms. Vibha Mahajan Seth, Advocate.

versus

**RAAJ HIREMATH**

..... Respondent

Through:

**CORAM:**

**HON'BLE MR. JUSTICE VIPIN SANGHI**

**HON'BLE MS. JUSTICE DEEPA SHARMA**

**ORDER**

**31.05.2017**

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The present Letters Patent Appeal is directed against the order dated 25.04.2017 passed by the learned Single Judge in Contempt Case (C) No.316/2017.

The learned Single Judge had dismissed the contempt petition by holding that the appellant has the remedy of preferring the execution to recover the amount under the order/ decree passed by the learned Single Judge in exercise of Original Civil jurisdiction. The impugned order does not, in any manner, touch upon the merits of the dispute and does not return any findings one way or another on the merits of the disputes.

That being the position, the present Letters Patent Appeal is clearly

not maintainable in view of the judgment in *Midnapore Peoples' Coop. Bank Ltd. and Others Vs. Chunilal Nanda and Others*, (2006) 5 SCC 399.

Dismissed.

**VIPIN SANGHI, J**

**DEEPA SHARMA, J**

**MAY 31, 2017**

*B.S. Rohella*