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

\+ EX.S.A. 1/2016 and C.M. No.4656/2016 (stay)

RAMJI LAL ..... Appellant

Through: Counsel for the appellant (appearance not legible).

versus

PREM SINGH & ORS ..... Respondents

Through: Mr. Vikrant Arora, Advocate for respondent No.1.

CORAM:
HON'BLE MR. JUSTICE VALMIKI J. MEHTA

O R D E R

% 28.04.2017

1. When notice was issued in this Execution Second Appeal, the following order was passed on 9.2.2016:-

"**CM APPL.4656/2016 (exemption)**

Exemption allowed subject to all just exceptions.
Application stands disposed of.

Ex.S.A.1/2016 and CM APPL.4655/2016 (stay)

Learned counsel for the appellant very fairly concedes that although there is no case for second appeal, however, he shall feel satisfied in case the notice is issued to the respondent, as there is possibility of settlement between the parties.

In view of the statement made by learned counsel for the appellant, notice be issued to the respondent, by all modes, *Dasti* as well, returnable on 15.03.2016.

In the meanwhile, the execution of the decree in question is stayed till the next date of hearing.

Dasti."

2. The aforesaid order dated 9.2.2016 is clear that there was no merit in the second appeal but notice was only issued to explore the possibility of settlement. It is stated by the counsels for the parties that there is no possibility of settlement.

3. In view of the above position, counsel for the appellant does not dispute that nothing survives in this appeal. This appeal is accordingly disposed of in view of the order dated 9.2.2016.

VALMIKI J. MEHTA, J

APRIL 28, 2017
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