

Court No. - 4

Case :- SECOND APPEAL No. - 762 of 2011

Appellant :- Chand Mohammad Siddiqui

Respondent :- Smt. Jamila And Others

Counsel for Appellant :- Vivek Kumar Singh, Gaurav Singh, Prakhar Tandon

Hon'ble Prakash Padia, J.

Order on withdrawal application

1. The withdrawal application filed today in the Court is taken on record.
2. Office is directed to allot regular number to the withdrawal application.
3. A prayer has been made in the aforesaid application for withdrawal of second appeal supported by an affidavit of Mohd. Meraj real son of appellants no.1 and 2.
4. It is stated in paragraph 3 of the affidavit that parties have amicably settled their dispute and after settlement appellant purchased the second floor of the disputed house and entire consideration has been paid. It is further stated in paragraph 5 that appellant no.1 passed away on 29.05.2022 and the appellant no.2 is wife of the deceased appellant no.1.
5. It is stated by counsel for the appellant that appellant does not want to press present appeal as well as connected appeal No.786 of 2011.
6. Heard learned counsel for the applicant and perused the records.
7. In the facts and circumstances of the case, counsel for the applicant is permitted to insert word "deceased" against the name of appellant no.1 in the memo of appeal during the course of the day.
8. The withdrawal application is allowed.

Order on Appeal

Since withdrawal application is allowed, the appeal is dismissed as withdrawn in terms of the compromise entered between the parties.

Order Date :- 2.11.2023

Pramod Tripathi