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

+ CS(OS) 389/2010 and I.As. 2748/2010 & 10896/2014

PRABHAT KUMAR SAHU ..... Plaintiff  
Through: Mr. Vikas Mahajan, Advocate with  
Mr. S.S. Rai, Advocate

versus

KAILASH KUMARI & ORS ..... Defendants  
Through: Mr. Bhushan Tiwari, Advocate for the  
proposed D-9.

**CORAM:**  
**HON'BLE MS. JUSTICE HIMA KOHLI**

**ORDER**  
**% 29.04.2015**

1. Counsel for the plaintiff states that he may be permitted to withdraw the present suit for partition and rendition of accounts instituted against his mother and other siblings, while reserving the right of his client to file a suit for the same relief at a later stage.
2. Counsel for the plaintiff explains that during the pendency of the present suit, it has transpired that the defendant No.1(mother of the parties) has executed a Sale Deed in respect of the suit premises in favour of a third party and upon coming to know of the changed circumstances, the plaintiff is taking separate legal recourse for seeking a decree of declaration and injunction in respect of the said

Sale Deed. Only thereafter, would the plaintiff be in a position to ask for the relief of partition.

3. Leave, as prayed for, is granted. The suit is dismissed as withdrawn alongwith the pending applications.

**APRIL 29, 2015**

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**HIMA KOHLI, J**