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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
 + RFA 663/2014 & CMs No.20637/2014 (for stay) & 16582/2016 (u/O  
 XXIII R-1 CPC)  
 ABDUL HAQ ..... Appellant

Through: None.  
 Versus

ABDUL RUB & ORS ..... Respondents  
 Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**ORDER**

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**06.05.2016**

**CM No.16582/2016 (of the appellant under Order XXIII Rule 1 of the CPC  
 for withdrawal of the appeal)**

1. None appears.
2. The appeal impugns the judgment and decree dated 20<sup>th</sup> August, 2014 of the Court of learned Additional District Judge (ADJ)-12 (Central), Delhi of dismissal of CS No.226/10/09 for partition of immovable property and injunction.
3. Notice of the appeal was issued.
4. The appeal was admitted for hearing and ordered to be listed in the category of "Regulars" directing the parties to maintain *status quo* qua title and possession of the property subject matter of the suit.
5. Now CM No.16582/2016 has been filed under Order XXIII Rule 1 of the CPC for withdrawal of the appeal.
6. The application is signed by the appellant and his counsel and is supported with an affidavit of the appellant.
7. Need to await the counsel for the appellant/ applicant or to issue notice is not felt.
8. The application is allowed.
9. The appeal is dismissed as withdrawn leaving the parties to bear their own costs.

**RAJIV SAHAI ENDLAW, J**

**MAY 06, 2016/'gsr'..**