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

+ EX.P. No.131/2016

RAJEEV AGARWAL & ANR

..... Decree Holders

Through: Mr. Sumit Chander, Adv. along with
DH-1.

versus

RAVI AGARWAL & ORS

..... Judgement Debtors

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **27.09.2016**

EA No.634/2016 (for exemption).

1. Allowed, subject to just exceptions.
2. The application stands disposed of.

EX.P. No.131/2016.

3. Execution is sought of the order dated 12th August, 2016 in CS(OS) No.315/2016 filed by the plaintiffs/purported decree holders.
4. The order dated 12th August, 2016 is of withdrawal of CS(OS) No.315/2016.
5. The counsel for the purported decree holders on enquiry as to how execution is maintainable when there is no decree and rather the suit was withdrawn, states that the suit was withdrawn owing to the compromise arrived at with the defendants and with which compromise the defendants are now not abiding.
6. Even if that be so, the purported decree holders/plaintiffs having withdrawn the suit, cannot maintain execution.

Dismissed.

RAJIV SAHAI ENDLAW, J

SEPTEMBER 27, 2016

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