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

+ RSA 354/2015 & CM Appln. 21287-88/2015

KELA DEVI Appellant

Through: Appellant in person.

versus

MANOJ KUMAR Respondent

Through: Mr.Abhimanyu Singh Khatri,
Advocate along with the respondent
in person.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

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23.05.2016

The appellant and the respondent are present in person. They stand in the relationship of aunt and nephew.

The property in question was distributed amongst the four sons of the father-in-law of the appellant namely late Daryal Singh. Daryal Singh had four sons, two of them, being the father of the respondent and the husband of the appellant respectively. After the partitioning of the property amongst the four sons of late Daryal Singh, each of them got 1/4th share in the suit property. Later the respondent who is the son of one of the sons of Daryal Singh, viz. of Subhash Chand, purchased the 1/4th share of one of the brothers namely Jai Prakash. The dispute between the parties arose when the appellant staked her claim over the 1/4th share of Jai Prakash as aforesaid Jai Prakash had adopted the son of the appellant and after his death, the son of

the appellant inherited the share of late Jai Prakash.

However, the parties have entered into a settlement whereby the dispute between the appellant and the respondent has been resolved. The appellant who is present in person does not wish to prosecute this appeal and wishes to withdraw the same.

Mr. Abhimanyu Singh Khatri, learned advocate appearing for the respondent had a talk with the advocate for the appellant Kela Devi who also informed on telephone that he has advised the appellant to withdraw the appeal.

Considering the aforesaid facts and circumstances, the prayer of the appellant to withdraw the aforesaid appeal is allowed.

The second appeal is dismissed as withdrawn.

All the pending applications also stand disposed off.

ASHUTOSH KUMAR, J

MAY 23, 2016

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