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

+ **TEST.CAS. 13/2017**

SUMAN MEHAN & ORS.

..... Petitioners

Represented by: Mr. Rajiv Gupta, Advocate.

versus

STATE OF DELHI

..... Respondent

Represented by: None.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

21.07.2017

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I.A. No. 8124/2017 (Under Order XXIII Rule 1 CPC)

1. By this application the petitioner No. 1 seeks leave to withdraw the Test. Cas No. 13/2017.
2. The application is supported by the affidavit of Smt. Suman Mehan, petitioner No. 1 in whose favour Letter of Administration was sought in respect of the property of the deceased late Shri Naresh Kumar Mehan.
3. Learned counsel for the petitioners submits that since the petitioner No. 1 is now old, infirm and not in a position to administer the estate of the deceased, she may be permitted to withdraw the testamentary case.
4. Application is disposed of permitting the withdrawal of Test. Cas No. 13/2017.

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1. As per memo of parties, three petitioners have been impleaded however, the prayer in the petition is only seeking Letter of

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Administration in favour of petitioner No. 1. Since affidavit of petitioner No. 1 has been filed along with the application, Test. Cas No. 13/2017 is dismissed as withdrawn.

2. Date of 13th September, 2017 is cancelled.

MUKTA GUPTA, J.

JULY 21, 2017
‘yo’