

\$~41

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

+ C.R.P. 102/2015

S. STEPHEN

..... Petitioner

Through: Mrs. Inderjeet Saroop and Mr.
Raghav Saroop, Advs.

Versus

OM PRAKASH & ORS

..... Respondents

Through: Mr. Vimal Wadhawan, Adv. for R-1.
Mr. Sumit Rajput, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

%

28.08.2017

CM No.31038/2017 (for exemption)

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

CM No.31037/2017 (of petitioner u/S 151 CPC)

3. The petitioner seeks return of the Trial Court record requisitioned in this Court, pleading that the respondents/plaintiffs have made an application before the Trial Court for withdrawal of the suit from which this petition arises but the said withdrawal is held up owing to the suit record being before this Court.
4. The counsel for the respondent No.1 appears on advance notice and confirms that the respondents want to withdraw the suit.
5. The application is allowed and disposed of.

C.R.P. 102/2015

Page 1 of 2

C.R.P. 102/2015

6. The Trial Court record be sent back forthwith.
7. Since the counsel for the respondent No.1, before this Court, also confirms that the respondents want to withdraw the suit, this petition has become infructuous and is disposed of.
8. The date of 21st September, 2017 is cancelled.

RAJIV SAHAI ENDLAW, J.

AUGUST 28, 2017

Bs..