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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(OS) 372/2010 & IA No.2655/2010 (u/O XXXIX R-1,2&10 CPC).  
RITA CHAUDHARY ..... Plaintiff

Through: Mr. Joydeep Sharma, Adv.

versus

RAMESH ANAND & OTHERS ..... Defendants

Through: Mr. Sunil Arya, Adv. for D-1,2,3 and  
7 to 11.

Mr. Y.S. Chauhan, Adv. for D-4&5.

Mr. B.S. Tiwari, Adv. for D-6.

**AND**

TEST.CAS. 43/2010

RAMESH ANAND & ORS ..... Petitioners

Through: Mr. Sunil Arya, Adv.

versus

THE STATE ..... Respondent

Through

**CORAM:**

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

**ORDER**

% **20.02.2018**

**IA No.13304/2017 & IA No.13305/2017 (of the plaintiff and of the defendant no.6, both under Order XXIII Rule 1 of the CPC) in CS(OS) 372/2010.**

1. This order is in continuation of the earlier orders dated 30<sup>th</sup> November, 2017 and 5<sup>th</sup> February, 2018.

2. Today, the counsel for the defendants no.1,2,3 and 7 to 11 namely Ramesh Anand, Gyan Chand Anand, Neelam, Goldy Anand, Ginni Anand, Praveen Anand, Raj Anand and Neetu Babbar, the counsel for the defendants no.4&5 namely Babli and Madhu and the counsel for the defendant no.6 namely Pawan Gupta appear.

3. Thus all the defendants are represented.

4. The counsels for all the defendants state that they have no objection to the suit being permitted to be withdrawn and do not want to pursue the suit for partition.

5. Accordingly, the applications are allowed and disposed of.

**CS(OS) 372/2010 & IA No.2655/2010 (u/O XXXIX R-1,2&10 CPC).**

6. CS(OS) 372/2010 is dismissed as withdrawn, leaving the parties to bear their own costs.

**TEST.CAS. 43/2010.**

7. The counsel for six petitioners no.1, 2, 3, 3A, 3B and 3C namely Ramesh Anand, Gian Parkash Anand, Late Manmohan Anand, Parveen Anand, Raj Anand and Neetu Babbar in Test. Cas. and who are the defendants no.1, 2, 3 and 7 to 11 in CS(OS) No.372/2010 states that the petitioners do not want to pursue the Probate Petition and withdraw the same. It is also stated that the petitioners no.1&2 i.e. Ramesh Anand and Gian Parkash Anand are present in Court. The person identified as petitioner no.1 Ramesh Anand also states that he represents the petitioners no.3A to 3C namely Parveen Anand, Raj Anand and Neetu Babbar.

8. There is no opposition to the request.

9. Test. Cas. is dismissed as withdrawn, leaving the parties to bear their own costs.

**RAJIV SAHAI ENDLAW, J**

**FEBRUARY 20, 2018**

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