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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) 133/2017, CM APPL. 16153/2017, CM APPL. 15353/2018**
IMRAN ALI & ORS Appellants

Through: Mr. S.D. Ansari, Adv. with Mr. I. Ahmed,
Adv. for the Appellant's alongwith appellant's
No.1&2 in person.

versus

M/S SHIVAM FOOD & ORS Respondents
Through: Mr. Umesh Mishra, Adv. for R-1.
Mr. Md. Aslam, Mr. Pranav Gautam, for R-3.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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18.07.2018

It was brought to the notice of the Court that the suit – which stood restored pursuant to the impugned order - was withdrawn; the plaintiff is arrayed as the first respondent in this appeal; he confirms to this factual position. It was also stated that the second defendant who had moved for recall of the order of compromise has now availed of her remedies in accordance with law and filed a suit which is proceeding on the merits. The second defendant has filed a suit for partition of the property in which all parties are impleaded.. Furthermore, the adverse observations made in respect of some learned counsel appearing in the case has apparently been vacated by the Division Bench in the order

made in FAO (OS) 78/2017 (*Dr. Anuraj Kumar Aggarwal v. Zakia Ali @ Zakia Begum*).

In the light of this, nothing survives adjudication. Learned counsel for the appellant seeks liberty to withdraw the appeal. Needless to add, since the main suit (which stood restored by the impugned order) has now been withdrawn, no interim order too shall survive. The observations made against the learned counsel stand expunged and are hereby directed to be expunged. The appeal is accordingly disposed of.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JULY 18, 2018

akv

