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

+ **CS(OS) 3018/2015 & I.A.Nos.784/2017, 5518/2017**

TRIPAT GOINDI

..... Plaintiff

Through **Mr.P.S.Goindi, Advocate.**

versus

INDERJIT SINGH KAPUR & ORS

..... Defendants

Through **Mr.Achal Gupta, Advocate for D-1 to 4.**

Mr.Rishi Manchanda, Advocate for D-8 & 9.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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31.08.2018

On the last date of hearing, this Court had passed the following order:-

“The short issue that arises for consideration in the present suit is whether on the date the plaintiff’s grandfather expired, the plaintiff had any right, title or share in the suit property.

Learned counsel for the plaintiff prays for some time to examine the said aspect.

Attention of learned counsel for plaintiff has been drawn on the following judgments:-

(i) *Yudhishter Vs. Ashok Kumar, AIR 1987 SC 558.*

(ii) *Commissioner of Wealth Tax, Kanpur & Ors. Vs. Chander Sen & Ors., (1986) 3 SCC 567.*

(iii) *Sheela Devi & Ors. Vs. Lal Chand & Anr. (2006) 8 SCC 581.*

***(iv) Mr. Sulabh Puri & Anr. Vs. Mr. Sudhir Puri & Ors., 2013
SCC OnLine Del 662.***

List the matter on 31st August, 2018. ”

Since it is an admitted position that the suit properties were self-acquired properties of late S. Iqbal Singh Kapur, learned counsel for the plaintiff states that the plaintiff gives up the argument that the properties in question were ancestral. Learned counsel for plaintiff also wishes to withdraw the present suit with liberty to agitate all his rights and contentions in PC No.42321/2016 pending before the Court of Mr. Vishal Singh, ADJ: 06/Central/Delhi as well as in Suit No.609795/2016 pending before the Court of Mr. Arun Sukhija, ADJ, Central, Tis Hazari Court.

With the aforesaid liberty, present suit and pending applications stand disposed of.

MANMOHAN, J

AUGUST 31, 2018

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