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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 471/2016 & IA No.11588/2016 (u/O XXXIX R-1&2 CPC).

SURINDER SINGH Plaintiff

Through: Mr. Rajeev Saxena and Mr. Manish
Khurana, Advs.

versus

GURCHARAN KAUR & ORS Defendants

Through: Mr. Shubham Prajapati, Adv. for D-
1,2,6,7,10,11 & 12.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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06.02.2019

1. The counsel for the plaintiff seeks permission to handover in this Court an application under Order XXIII Rule 3 read with Section 151 of the Code of Civil Procedure, 1908 (CPC).
2. Allowed. The application is taken on record and be got numbered.
3. The application bears the signatures of the plaintiff, defendant no.1 and defendant no.2 only and does not bear the signatures of defendants no.3 to 12.
4. The application is accompanied with a photocopy of a document titled "Affidavit of Agreement" in *Hindi* and which also purports to bear the signatures of the plaintiff, defendants no.1,2 and 8 to 12 only.
5. The application is also accompanied with an English translation of the aforesaid document and affidavits of the plaintiff and defendants no.1&2.
6. The counsel for the defendants no.1,2,6,7,10, 11 & 12 confirms execution of the aforesaid document.

7. Both counsels state that the understanding is that the defendants no.3 to 7 will also sign the document aforesaid containing the settlement arrived at between the plaintiff and the defendants no.1&2.

8. The counsel for the plaintiff states that in view of the same, he withdraws the suit.

9. The counsel for the defendants no.1,2,6,7,10, 11 & 12 has no objection.

10. The suit is dismissed as withdrawn.

No costs.

RAJIV SAHAI ENDLAW, J

FEBRUARY 06, 2019

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