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

+ **CS(OS) 679/2017**

MRS. ANU LAMBA Plaintiff

Represented by: **Mr.Saurabh Jain, Advocate**

versus

BASANT SING MALIK & ORS. Defendant

Represented by: **Mr.Rudreshwar Singh, Advocate for
the D2**

**Mr.K.P.Singh, Advocate for D1 and
D3**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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21.07.2020

The hearing has been conducted through Video Conferencing.

I.A. 4892/2020 (exemption from filing notarised/apostil led affidavit)

1. By this application, the plaintiff had sought exemption from filing notarized affidavit in support of the application being IA 4891/2020 by which the plaintiff had sought withdrawal of the suit.

2. Now, an affidavit has been filed by the plaintiff vide index dated 7th July, 2020, duly notarized from the Notary Public, State of Texas. Consequently, this application is dismissed as infructuous.

I.A. 4891/2020 (under Section 151 CPC-withdrawal of suit)

1. By this application, the plaintiff seeks withdrawal of the suit.

2. Case of the plaintiff is that the plaintiff had filed the suit seeking a decree of declaration that the Will dated 26th November, 1994 and the sale

deed dated 13th April, 2006 executed by Late Smt. Dalip Kaur was fraudulent, thus, null and void having no legal consequences, besides a decree of 1/6th share in the suit property i.e. D/13/1, Ground Floor, Model Town, Delhi.

3. By this application, the plaintiff states that the plaintiff has now realized that she has no interest in the suit property and she has no objection as to how the said suit property is dealt with by any of the defendants. Plaintiff thus seeks leave to withdraw the suit. Consequently, the application is disposed of permitting the plaintiff to withdraw the suit, since, the present application is now duly supported by the notarized affidavit of the plaintiff.

CS(OS) 679/2017

1. In view of the order passed in IA 4891/2020, the suit is dismissed as withdrawn. Consequently, the undertaking given by the defendant No. 2 on 22nd December, 2017 before this Court is vacated.

2. Order be uploaded on the website of this Court.

MUKTA GUPTA, J.

JULY 21, 2020

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