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

% ***Date of decision: September 26, 2022***

+ RFA(OS) 32/2018

KAMLA PASRICHA & ANR Appellants

Through: Mr. Jai Sahai Endlaw, Advocate

versus

SURENDERA NATH PASRICHA & ANR Respondents

Through: Mr. Satvik Varma, Sr. Advocate with
Ms. Drishti Harpalani, Advocates

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE SAURABH BANERJEE

JUDGMENT (oral)

1. Learned counsel appearing on behalf of the appellants on instructions, does not dispute the impugned judgement dated 15.03.2018 and seeks permission to withdraw the instant appeal, if this court sets aside paras 14 and 15 thereof.
2. Learned counsel appearing on behalf of the respondent no.1 submits that he has no objection if the appellants withdraw the present appeal with the aforesaid observations mentioned in paras 14 and 15 of the impugned judgment dated 15.03.2018 being set aside.
3. The appellant no.1 is a senior citizen aged about 84 years and appellant no.2 is the daughter of appellant no.1, who is aged 55 years. It is



pertinent to mention here that impugned judgment dated 15.03.2018 was stayed by this Court vide order dated 13.07.2018, but by that time, respondent no.1 had taken the possession of the suit property.

4. Accordingly, keeping in view the observations made in paras 14 and 15 of the impugned judgment dated 15.03.2018 which are against both the ladies and since the issues are between family members, just to give quietus to the issues, we hereby set aside paras 14 and 15 of the impugned judgment dated 15.03.2018.

5. It is made clear that the judgment and decree dated 15.03.2018 except paras 14 and 15 thereof is confirmed.

6. In view of the above, the appeal is disposed of.

(SURESH KUMAR KAIT)
JUDGE

(SAURABH BANERJEE)
JUDGE

SEPTEMBER 26, 2022/akr