



C.S.No.180 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2023

CORAM

THE HONOURABLE **MS.JUSTICE R.N.MANJULA**

C.S.No.180 of 2014

Ashoak G.Wadhwa

... Plaintiff

Vs.

- 1.Parmanand Wadhwa (died)
- 2.Baldev G.Wadhwa (died)
- 3.Pahalaj G.Wadhwa
- 4.Kumar G.Wadhwa (died)
- 5.Narain G.Wadhwa
- 6.Mrs.Mohini Sobhraj Munyal (died)
- 7.Mrs.Pavan Hariram
- 8.Mrs.Kailesh B Samat
- 9.Indra Paramanand
- 10.Mahinder Paramanand
- 11.Jothi Ashok Masan
- 12.Mrs.Payal K.Wadhwa
- 13.Mrs.Bhavana R.Balaj
- 14.Mrs.Archana V.Mandhiyan
- 15.Dinesh Sobhraj Munyal
- 16.Sanjay Sobhraj Munyal
- 17.Suresh Sobhraj Munyal
- 18.Harsha Anil Makhija
- 19.Pushpa Wadhwa
- 20.Neelam Arun Kalro
- 21.Vinita Chabria



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22.Monisha Rai

(defendants 19 to 22 are bring on records as LR's of the deceased 2nd defendant as per order dated 10.03.2023 in A.No.628 of 2023)

... Defendants

Prayer: Complaint filed under Order IV of Original Side Rules read with Order VII Rule 1 of C.P.C., praying for the following judgment and decree as against the defendants;

a) For a declaration that the plaintiff is entitled to 10/63rd undivided share in the suit property and to direct the defendants to allot to the plaintiff 10/63rd undivided share in the suit property proportionate to the Flat No.13 owned by him in the suit property;

b) to direct the defendants to pay the costs of the suit.

For Plaintiff : Mr.T.Sai Krishnan

For Defendants : Mr.K.Harishankar for D1
Mr.V.Muthamil Selvan for D7
M/s.Shah & Shah for D20
Ms.V.Archana for D12 to D14
D8, D15 to 18 set exparte

JUDGMENT

The suit has been filed seeking declaration that the plaintiff is entitled to 10/63rd undivided share in the suit property and to direct the defendants to allot to the plaintiff 10/63rd undivided share in the suit property proportionate to the Flat No.13 owned by him in the suit property.



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2. The learned counsel for the plaintiff submitted that the defendants 5,3,10,12 to 14 have agreed to allot a share to the plaintiff and with that, the plaintiff is satisfied; the affidavit of the above defendants to that effect is also filed; therefore, he seeks permission of this Court to withdraw the above suit and he made an endorsement to that effect.

3. In view of the submission and endorsement made by the learned counsel for the plaintiff, **the suit is dismissed as withdrawn**. There is no order as to costs and there is no refund of Court fee paid by the plaintiff.

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Index : yes / no
Internet : yes / no
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