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

+ **FAO 10/2024 & CM APPL. 73931/2024**

SHIV PRASAD PATHAK & ANR.

.....Appellants

Through: Mr. Satish Aggarwala with Mr. Karan Ahuja, Mr. Kuldeep Jauhari, Advocates.

versus

SMITA & ANR.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

17.12.2024

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1. Mr. Satish Aggarwala, learned counsel for the appellants submits that the appellants have already moved an application under Order XXIII Rule 1 CPC seeking withdrawal of the present appeal.
2. Such application i.e. CM APPL.73931/2024 is already on record.
3. Learned counsel for the appellants submits that since the suit property had already been sold by the appellants for their *bona fide* need, the appeal has, even otherwise, become infructuous.
4. Be that as it may, in view of the above said specific request made by the appellants, the present appeal is dismissed as withdrawn.

MANOJ JAIN, J

DECEMBER 17, 2024/st