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

+ FAO(OS) 92/2019, CM APPL. 20334/2019, CM APPL.46558/2019,
CM APPL. 31567/2022, CM APPL. 31590/2022, CM APPL.
31591/2022, CM APPL. 31592/2022, CM APPL. 17305/2023, CM
APPL. 34645/2023, CM APPL. 35124/2023, CM APPL. 43420/2023,
CM APPL. 43534/2023, CM APPL. 45806/2023

ISHWAR DAYAL KANSAL

.....Appellant

Through: Mr. Rajeev Kumar Virmani, Sr.
Advocate with Mr. Sanjay Kumar
Pathak, Mr. Ankit Virmani, Mr.
Krishan Tewary, Ms. Devanshi
Sharma, Mr. Hritihik Sharma, Ms.
Devashi Madan and Mr. M. S. Akhtar
Advocates with Mr. Krishan Kansal
and Ms. Kiran Kansal, appellants in
person

versus

MUKESH KUMAR (DECEASED) THR LRS & ORS....Respondents

Through: Mr. Aman Mehta and Mr. Udit
Mehra, Advocates with Mr. Kamlesh
Kumar, respondent in person.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

12.08.2024

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CM APPL. 31589/2022

1. Present application has been filed under Order XXII Rules 1, 2 and 4
CPC on behalf of the appellant through proposed guardian for taking on



record the existing respondent No.2-Mr. Kamlesh Kumar as legal representative of deceased Mr. Anand Kumar (arrayed as respondent nos.1 and 3 in this appeal).

2. Learned counsel for the non-applicants have no objection to the present application being allowed.

3. Accordingly with the consent of the parties, the present application is allowed.

CM APPL. 35123/2023

4. Present application has been filed on behalf of proposed legal representatives of the estate of the deceased appellant under Order XXII Rule 3 CPC for bringing on record the legal representatives of the estate of the deceased appellant.

5. Learned counsel for the non-applicants have no objection to the present application being allowed.

6. Accordingly with the consent of the parties, the present application is allowed.

7. The application stands disposed of.

8. Amended memo of parties dated 9th July, 2023 is taken on record.

CM APPL. 45949/2024.

9. Present joint application has been filed on behalf of the legal representatives of the Appellant and the Respondents under Section 151 of the CPC, 1908 seeking unconditional withdrawal of the present appeal and vacation of all interim orders, if any, passed in the present appeal.

10. Learned counsel for the parties state that the matter has been amicably resolved by way of an out of court settlement and the said settlement has



been given effect to.

11. The statements made by learned counsel for the parties are accepted by this Court and the parties are held bound by the said statements.

12. Accordingly, the present appeal is disposed of as satisfied. Pending applications also stand disposed of and interim orders stand vacated.

ACTING CHIEF JUSTICE

TUSHAR RAO GEDELA, J

AUGUST 12, 2024

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