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

+ **CS(OS) 374/2024**

SHEKHAR GIRDHAR & ANR.Plaintiffs

Through: Mr. Rakesh Patiyal and
Mr. Aditya Singh, Advocates.
Plaintiff no.1 and 2 in person.

versus

SHYAM HARI DWIVEDI & ORS.Defendants

Through: Mr. Arpit Bhalla, Advocate for
Mr. Hiren Sharma, Advocate.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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09.09.2024

I.A. 38754/2024 (Application under Order XXIII Rule 1 of the CPC by the plaintiffs)

1. This is an application filed by the plaintiffs under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 ('CPC') to unconditionally withdraw the present suit in the view of settlement arrived at between plaintiffs and defendants.
2. Plaintiffs no.1 and 2 are present in court. Learned counsel for the plaintiffs states on instruction that the plaintiffs have entered into a settlement with the defendants no.1 to 4 and have agreed to sell their shares to the defendants.
3. The plaintiff no.1, who is present in Court states that the sale deed for the share of the plaintiff is to be executed and presented before the concerned Sub-Registrar for registration. He states that the withdrawal of the



present suit is one of the conditions of the said settlement.

4. Mr. Arpit Bhalla, Advocate appearing for Mr Hiren Sharma, Advocate on behalf of the defendants confirms the aforesaid understanding between the parties.

5. Accordingly, this application is allowed and present suit is dismissed as withdrawn without any liberty reserved to the plaintiffs.

CS(OS) 374/2024

6. The suit stands dismissed as withdrawn. All pending applications stand disposed of.

7. All future dates stand cancelled.

MANMEET PRITAM SINGH ARORA, J

SEPTEMBER 9, 2024/mk/AKT