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

+ **CS(OS) 416/2019**

SURESH CHANDER MALHOTRA & ANR.Plaintiffs

Through: Mr.Neeraj Gupta and Mr.Kamal
Gupta, Advs. with plaintiffs
(VC).

versus

MAHESH CHANDER MALHOTRA & ANR.Defendants

Through: Mr.Dhruv Chawla, Ms.Huzarfa
Ibrahim, Advs. for D-1.
Mr.Mahesh Chander Malhotra,
Ms.Sangeeta Bhalla, Ms.Sapna
Mukhi and Ms.Shikha Bhatia,
parties through VC.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **02.08.2024**

I.A.24068/2023

1. This application has been filed by the plaintiffs to bring on record the legal heirs of the defendant no.2, who unfortunately passed away on 23.10.2023.
2. The application is not opposed by the learned counsel for the defendants.
3. The application is accordingly allowed.
4. Let the Amended Memo of Parties be filed by the plaintiffs by 06.08.2024.

I.A. 35262/2024

5. This application has been filed jointly by the plaintiffs and the



defendant no.1, praying that since the parties, including the legal heirs of the defendant no.2, have amicably settled their disputes, the plaintiffs be allowed to withdraw the present suit in view of the settlement.

6. The parties, including the legal heirs of the defendant no.2, have appeared virtually before this Court, and have been identified by their respective counsels. They affirm to the terms of the settlement and state that they have executed the affidavits, annexed with the application, of their own free will and have understood the contents thereof. The affidavits are taken on record.

7. In view of the settlement and at the request of the plaintiffs, the Suit is disposed of as withdrawn. There shall be no order as to costs.

8. The original Will filed by the defendant no.1 *vide* diary no.1049064/2022, be returned to the defendant no.1 upon the defendant no.1 substituting the same with a certified copy thereof.

9. The next date of hearing, that is, 27.08.2024, stands cancelled.

NAVIN CHAWLA, J

AUGUST 2, 2024/Arya/SJ

Click here to check corrigendum, if any