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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 752/2024, CM APPL. 63504/2024, 63506/2024 & 63507/2024**
ADITYA SHARMA @ RAJESH SHARMA AND ANR

.....Appellants

Through: Ms. Payal Agrawal, Advocate.

versus

KIRAN SHARMA AND ANR

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **28.10.2024**

CM APPL. 63505/2024 (exemption)

1. Allowed, subject to just exceptions.

RFA 752/2024

2. The appellants have assailed preliminary decree of partition of the immovable property left behind by their predecessor. Final decree was to be passed on 26.10.2024 but it is informed by learned counsel that on that day the learned Judicial Officer was on leave. The appeal is delayed by 118 days, which delay is explained largely on the ground that parties were trying to settle the disputes. But admittedly those settlement talks commenced subsequent to the preliminary decree and apparently the same were with the object of effectuating the preliminary decree.

3. After addressing partly, learned counsel for appellants on instructions of her clients seeks permission to withdraw this appeal without prejudice to



their contentions before the learned Trial Court.

4. Therefore, without expressing any opinion about this appeal, as requested by learned counsel, this appeal and the accompanying applications are dismissed as withdrawn.

GIRISH KATHPALIA, J

OCTOBER 28, 2024/rk

Click here to check corrigendum, if any