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

+ TEST.CAS. 107/2008

SHRI PRAMOD KUMAR

.....Petitioner

Through: Mr Abhishek Aggarwal, Advocate
along with Mr Rakesh Jindal, one of
the LR of the petitioner in person.

versus

STATE

.....Respondent

Through: Mr Vishesh Chauhan and Mr Ishan
Srivastava, Advocates for LRs of
deceased objector.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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04.11.2024

I.A. 43985/2024 (by legal heirs of the petitioner under Section 151 CPC)

1. Learned counsel for the petitioner submits that he has instructions to withdraw the present petition.
2. Mr Rakesh Jindal, who is one of the Legal Heir of deceased petitioner, is also present in the Court and he also affirms the statement made by his counsel.
3. The withdrawal of the present petition is not opposed by the learned counsel appearing for the LRs of the deceased objector Mrs Anuradha Bansal.
4. In view of the above, the petition is dismissed as withdrawn.

I.A.36726/2024 (by the legal heirs of the petitioner under Order XIII Rule 9 read with Section 151 CPC)

5. The present application has been filed seeking release of original Sale



Deed dated 27.07.1964 and Mortgage Deed dated 31.05.1965 in respect of the property bearing no.1898-1901, Chandni Chowk, Delhi-110006.

6. Learned counsel for the applicants submits that since the present petition stands withdrawn, therefore, the present application seeking release of the aforesaid original documents may also be allowed. He submits that the aforesaid original documents were filed by the petitioner along with TEST CAS. 107/2008.

7. He further submits that along with the present application certified copies of the Sale Deed dated 27.07.1964 and Mortgage Deed dated 31.05.1965 have been filed for being retained in the court file.

8. The application is not opposed by the legal heirs of the deceased objector Mrs Anuradha Bansal.

9. In view of the above, the application is allowed.

10. The Registry is directed to return the original Sale Deed dated 27.07.1964 and Mortgage Deed dated 31.05.1965 filed by the petitioner *vide* diary no.136616 on 15.09.2011, to the applicant(s) as per rules.

11. The application stands disposed of.

12. The date already fixed as 12.11.2024 stands cancelled.

VIKAS MAHAJAN, J

NOVEMBER 4, 2024
MK