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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO 49/2025 & CM APPL. 13082/2025**

DINESH@SINTU & ANR.Appellants
Through: Mr. Arun Vidyarthi and Mr.
Kuldeep, Advs.
versus
SUNITA & ANR.Respondents
Through: None.

CORAM:
HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **04.03.2025**

CM APPL. 13083/2025 – EXMP.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

FAO 49/2025 & CM APPL. 13082/2025

3. The appellants have preferred the present appeal under Order XLIII Rule(1)(r) of the Civil Procedure Code, 1908 [hereinafter referred as “CPC”], assailing the order dated 30.11.2024, passed in the application moved by respondent No.1/plaintiff under Order XXXIX Rule 1 and 2 of CPC in Civil Suit DJ-498/2023, pending before the learned District Judge-1, North, Rohini Courts, Delhi.
4. No one is present for the respondents despite sending advance notice.
5. After some arguments, learned counsel for the appellants requests permission to withdraw the present appeal, with liberty to pursue his legal remedies before the learned Trial Court concerned, in accordance with the law.
6. Accordingly, the present appeal is dismissed as withdrawn.



7. Pending applications, if any, are also disposed of.

DHARMESH SHARMA, J.

MARCH 4, 2025/gunn