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

+ **CS(OS) 677/2012**

**SANDEEP KUMAR**

.....Plaintiff

Through: Mr. R.K. Saini and Ms. Rekha Saini,  
Advocates with Plaintiff in person.

versus

**NAVAL KISHORE & ANOTHER**

.....Defendants

Through: Defendant No. 2 in person.

**CORAM:**

**HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER**

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**30.04.2025**

**I.A. 10806/2025**

1. This application is preferred on behalf of the Plaintiff under Order XXIII Rule 1 read with Section 151 of CPC, 1908 for withdrawal of the suit in light of the settlement arrived at between the parties.
2. Present suit was filed on behalf of the Plaintiff for partition of the suit property bearing No. 3743 to 3747-A, Gali No. 18-19, Reghar Pura, Karol Bagh, Delhi, claiming 1/3<sup>rd</sup> share against his father i.e., Defendant No. 1 and the son of Defendant No. 1 i.e., of Defendant No. 2.
3. Differences arose between Defendant No. 1 and his wife, namely, Smt. Santosh, mother of Plaintiff and Defendant No. 2 and a divorce petition was filed by Defendant No. 1 against his wife for dissolution of marriage, which was decreed by the Court on 22.07.2008.
4. During the pendency of the suit, Defendant No. 1 expired on

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26.04.2021 in the COVID-19 Pandemic and is now survived by Plaintiff and Defendant No. 2. Parties have settled the matter *inter se* and in this light, Plaintiff seeks to withdraw the suit.

5. In view of above, application is allowed and disposed of permitting the Petitioner to withdraw the suit.

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6. In view of the order passed in I.A. 10806/2025, suit is disposed of as withdrawn along with pending applications.

7. The next date of hearing i.e., 28.05.2025 before the Joint Registrar stands cancelled.

**JYOTI SINGH, J**

**APRIL 30, 2025**  
**S.Sharma**

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