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

+ EX.F.A. 43/2025, CM APPL. 56926/2025, CM APPL. 56927/2025,
CM APPL. 56928/2025

KANWAR SINGH SAINI (SINCE DECEASED, THROUGH
LRS)Appellant

Through: Mr. Ajay Verma, Sr. Advocate with
Mr. Nikhil Kumar Verma and Mr.
Vivek Bhati, Advocates

versus

MOHD. YUSUFRespondent

Through: Mr. Rakesh Mishra, Advocate

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

25.09.2025

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1. After considerable arguments today, learned senior counsel for the appellant submits that since possession of the suit property bearing no.147A-148, Village Khirki, Malviya Nagar, New Delhi has already been handed over to the respondent on 20.09.2025, he, after receiving appropriate instructions from the learned counsel on record as also the appellant appearing with him, seeks, and is granted, liberty to withdraw the present appeal, *albeit*, subject to liberty being granted *qua* the rights and remedies as available to the appellant herein for challenging the judgment and decree dated 04.08.2025 as also the repercussions thereof by taking proper recourse before appropriate forum(s), in accordance with law.



2. In view of the above, the present appeal is dismissed as withdrawn with liberty as prayed for.

SAURABH BANERJEE, J

SEPTEMBER 25, 2025/So