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

+ RFA 645/2023

MANOHAR LAL ASNANI

.....Appellant

Through: Mr. Vineet Tayal and Ms. Nishtha Wadhwa, Advocates.
Representative of the appellant in-person.

versus

KAILASH HIRA & ANR.

.....Respondents

Through: Counsel (appearance not given).
Respondent No.1 in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **24.09.2025**

CM APPL. 60948/2025

By way of the present application filed under section 151 of the Code of Civil Procedure 1908, respondent No.1 seeks to withdraw the claim made by way of the suit, which has culminated in passing of the impugned judgment and decree dated 29.03.2023 by the learned Additional District Judge - 06, West-District, Tis Hazari Courts, Delhi in suit bearing CS (OS) No.613151/2016. As a consequence, learned counsel appearing for respondent No.1 submits, that the impugned judgment and decree dated 29.03.2023 be set-aside and the appeal be disposed-of.

2. Mr. Kailash Hira/Respondent No.1 is present in court and confirms the submissions made by his counsel.



3. Learned counsel for the appellant is also present alongwith the representative of the appellant; and submits, that the matter has been amicably settled with respondent No.1, who is accordingly withdrawing the claim that was made in the suit.
4. In view of the above, the application is allowed; and stands disposed-of.

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5. In view of the above, the impugned judgment and decree dated 29.03.2023 stands set-aside by consent of the parties.
6. As prayed-for by learned counsel for the appellant, the Registry is directed to refund to the appellant the amount deposited in compliance of order dated 11.08.2023 alongwith interest upto-date, within 02 weeks of the appellant approaching the Registry for the purpose, after duly verifying the credentials of the appellant.
7. As a consequence of the above, the appeal is disposed-of.
8. Pending applications, if any, also stand disposed-of.
9. The date of 30.10.2025 given earlier, stands cancelled.

ANUP JAIRAM BHAMBHANI, J

SEPTEMBER 24, 2025/ak