

Case is taken up on today's board on the application of advancement.

Plaintiff Present.

counsel for Plaintiff files IA.No.1 U/o 23 rule 1 r/w 151 of CPC seeking permission to withdraw the suit and also refund the court fee for the reason as stated in the affidavit annexed with the application.

By virtue of the Present application on perusal of the affidavit Plaintiff on oath has submitted that the matter is settled out the court as such he intend withdraw the suit.

By virtue of the Present application on perusal of the order 23 rule 1 of CPC it reflects that "At any time after institution of the suit the Plaintiff may as against all or any of the Defendants abundance his suit or a part of his claim".

The wordings as employed in the above said provision, the Plaintiff has made out the ground for allowing the application.

IA.No.1 U/o 23 rule 1 r/w 151 of CPC is hereby allowed and permitted to Plaintiff to withdraw the suit.

Suit is dismissed as withdrawn.

In view of the IA.No.1 office is hereby directed to refund the court fee in accordance with the law.

Counsel for Plaintiff files memo by considering the memo office is hereby directed return the original document ie., promissory note dt: 05.07.2023. after obtaining the proper endorsement from the Plaintiff and identified by the counsel for Plaintiff.