

Special Civil Suit No. 356-2017**Order below Exh. 1**

The plaintiff filed application Exh. 29 to take the matter on board on 02-05-2022 and the matter was taken on board as per the record and proceedings of the case. On the same day, a notarised compromise Deed was produced vide Exh. 30 between plaintiff on one side and Defendant Nos. 7 to 10 on the other side which was recorded by my Ld. Predecessor. On the same day plaintiff filed application Exh. 31 withdrawing suit qua Defendant Nos. 7 to 10 and application Exh. 32 under Order 1 Rule 10 of CPC to delete the Defendant Nos. 7 to 10. Both these applications were kept for hearing by my Ld. Predecessor. On the last date of hearing i.e. on 11-01-2024, it was submitted on behalf of the parties that applications Exh. 31 & 32 be heard and decided, but the plaintiff wasn't present. Both these applications were going to affect the rights of the parties and these applications were filed before my Ld. Predecessor, no verification of the contents of the applications were made by this Court and therefore, on basis of instructions, plaintiff was kept present today before this Court. On enquiry, she has admitted the contents of the applications Exh. 31 & 32 and admitted before the Court that she doesn't want to proceed with the suit qua Defendant Nos. 7 to 10 and she has signed both these application even today before this Court to substantiate her say in these applications and thus, she is willing to withdraw suit qua Defendant Nos. 7 to 10 and their names be deleted from plaint. Defendant No. 1 also is present before this Court and he submits that he has no objection if the suit is withdrawn qua Defendant Nos. 7 to 10. In view of the above, following final order is passed in the interest of justice.

- :: **Order** :: -

Application Exh. 31 is hereby allowed and the plaintiff is permitted to withdraw the suit qua Defendant Nos. 7 to 10.

Application Exh. 32 is also allowed. Names of Defendant Nos. 7 to 10 are ordered to be deleted from the plaint under O. 1 Rule 10 of CPC, 1908.

Plaintiff to amend the plaint and produce amended plaint within stipulated time.

Pronounced in the Open Court today i.e. 12th day of February, 2024.

Place:- Kathor.
Date:- 12-02-2024

(S. M. Govani),
Principal Senior Civil Judge,
Kathor.
GJ00918