



R.C.S. No. 99/2022
CNR No. MHAK060024022022

Rajesh Radheshyam Agrawal Plaintiff

Vs.

Hariprasad Rampyare Mishra+7 Defendants

Order Below Exh. 26

(Passed on 08/12/2023)

This is an application under Order XXIII Rule 3 of the C.P.C. for withdrawing the suit against Defendant No. 8. The application is not supported by affidavit of the Plaintiff. Defendant No. 8 has filed say overleaf and communicated his no objection for allowing withdrawal of the suit against her. Further she has not prayed for any cost of litigation incurred by her for defending the suit. As I am passing the order just below and adjoining to the application, the contents thereof need not reproduce.

2. Heard Ld. Advocate Shri. S.R. Agrawal for the Plaintiff and Ld. Adv. Shri T.R. Chandak for Defendant No. 8 at length.

3. As the Plaintiff and Defendant No. 8 have settled their disputes out of Court, I have no hurdle to allow withdrawal of suit by the Plaintiff against Defendant No. 8 in view of the provision of Order XXIII Rule 1 of the Code of Civil Procedure, 1908. Hence, I pass the following order.

ORDER

1. The application seeking withdrawal of the suit against Defendant No. 8 is allowed with no order as to cost.

2. The Plaintiff shall furnish amended plaint deleting the name of Defendant No. 8 from the plaint till next date without fail.

(Order pronounced in Open Court)

Akot

Date : 08/12/2023

(Vinayak M. Redkar)

2nd Jt. Civil Judge Junior Division, Akot

CERTIFICATE

I affirm that the contents of this P.D.F. file are same word for word as per original order.

Name of Steno : Rahul S. Shendre, Stenographer (Grade-III)

Court Name : 2nd Jt. C.J.J.D. & J.M.F.C., Akot

Date of Dictation : 08/12/2023

Signed by P.O. on : 08/12/2023

Uploaded on : 08/12/2023