



**Order below Exh. 01 In Pursuance of Withdrawal Pursis at
Exh. 54 in Reg. Civil Suit. No. 137 Of 2017**

(Passed on this 05th day of April 2021)

Ahmed pasha V/s. Deepak & Ors.

CNR NO.MHLA060003832017

01] Perused roznama and record. It appears from record the plaintiff has filed present suit for declaration and perpetual injunction against the defendants. Therein plaintiff has filed an application *vide* Order XXXIX rule 1 and 2 Code of Civil Procedure (For short 'CPC'). Said application below (Exh.05) decided on merit and same temporary injunction has been rejected.

02] Thereafter, ld. Predecessor of this Court has framed issue, thereafter, suit proceed for evidence. Then the suit is for evidence. Now the plaintiff has filed pursis for permitted to withdraw the suit vide Order XXIII Rule 1(3)(1)(a) of the C.P.C. Wherein, submitted that suit is amicably settled between them out of the Court. Ld counsels have also vehemently stated that, the suit is amicably settled out of Court. In the circumstances, it would be necessary to withdraw the suit as per pursis (Exh.54) in view vide Order XXIII Rule 1(3)(1)(a) of the C.P.C. Hence, I proceed to pass following Order.

-:ORDER:-

1. The plaintiffs are permitted to withdraw the suit vide Order XXIII Rule 1(3)(1)(a) of the C.P.C.
2. No order as to the refund court fee.
3. Plaintiffs to bear the costs.
4. Order below Exh.05 stand vacated.

Place:-Ahmedpur.

Date:- 05.04.2021.

(Shyam S. Tondchire)

Jt. Civil Judge, J.D., Ahmedpur.