



**Order below Exh. 01 In Pursuance of Withdrawal Pursis at
Exh. 22 in Reg. Civil Suit. No. 285 Of 2017**

(Passed on this 05th day of April 2021)

Valmik & Ors. V/s. Manik & Ors.

CNR NO.MHLA06007562017

01] Perused roznama and record. It appears from record the plaintiffs have filed present suit for partition and perpetual injunction against the defendants. Therein plaintiffs have 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 granted in favour of plaintiff *vide* order dt. 16.07.2019 against defendants.

02] Thereafter, ld. Predecessor of this Court has framed issue at (Exh.19), thereafter, suit proceed for evidence. Then the suit is for evidence. Now the plaintiffs have 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.22) 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.
5. Suit is accordingly disposed of.

Place:-Ahmedpur.

Date:- 05.04.2021.

(Shyam S. Tondchire)

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