



IN THE COURT OF SMALL CAUSES, AT MUMBAI.

Order Below Exhibit - 15 & 1

In

R. A. D. Suit No. 1402 of 2024

1) Mrs. Akhtari Aslam Khan and Ors., Plaintiffs.

V/s.

The Provident Investment Company Limited Defendant.

Advocate for the plaintiffs : YMK Legal

Advocate for the defendant : S. W. Waghmare

Coram : V. P. Dhurve

Judge, C.R. No. 22

Date : 16/07/2026

Order :

This is an application filed by the plaintiffs for withdrawal of the suit. Defendant has filed say below the same application.

2. Heard learned advocates for both the parties. Perused record alongwith say of defendant.

3. Learned advocate for the plaintiffs has submitted that plaintiffs have filed present suit against defendants for declaration. During pendency of this suit, the disputes between the plaintiffs and defendant have been amicably settled. The defendant has acknowledged and accepted the plaintiffs as tenants in respect of the suit premises. Accordingly, the plaintiffs have paid the rent demanded by the defendant through cheque, which is duly encashed by the defendant. The defendant has issued rent receipt in the name of plaintiffs towards the payment of rent in respect of the suit premises.

Moreover, the defendant has also addressed necessary communications to all authorities in respect of acknowledging and declaring the plaintiffs as tenants in respect of the suit premises. In view of aforesaid settlement, no dispute now survives between the parties in relation to the subject matter of the present suit. Therefore, the plaintiffs do not wish to prosecute with the present suit further and seek permission to withdraw same. Therefore, this application be allowed.

4. Learned advocate for the defendant has submitted that the matter has been settled between the plaintiffs and defendant. The plaintiffs are proceeding with the withdraw of the plaint. For which the defendant has no objection for the same. Hence, prayed to pass appropriate order.

5. After considering submissions of both the parties and on perusal of record, it appears that plaintiffs have filed present suit against the defendant for declaration of tenant. The defendant has accepted the plaintiffs as tenant so the suit is amicably settled between the parties. Therefore, no purpose will be served by keeping this matter pending. Hence, considering facts of this case and contents in this application, in the interest of justice, I proceed to pass the following order :

:: ORDER ::

- 1) The application below Exh. 15 is allowed.
- 2) The suit stands disposed of as withdrawn.
- 3) The court fee be refunded as per Rules.

Mumbai
Date : 16/07/2026

(V. P. Dhurve)
Judge, C. R. No. 22