

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil First Appeal No. 22/2024

1. Suwati Devi W/o Late Shri Dulichand Daga, Aged About 90 Years, R/o Ward No. 12, Jain Chowk, Nokha, Bikaner (Rajasthan).
2. Kailash S/o Late Shri Dulichand Daga, Aged About 60 Years, R/o Ward No. 12, Jain Chowk, Nokha, Bikaner (Rajasthan).

----Appellants

Versus

1. Shiv Kumar S/o Chhagan Lal Daga R/o Katla Chowk, Nokha, Dist. Bikaner (Raj.).
2. Bajrang Lal S/o Chhagan Lal Daga, R/o Katla Chowk, Nokha, Dist. Bikaner (Raj.).
3. Pawan Kumar S/o Chhagan Lal Daga, R/o Katla Chowk, Nokha, Dist. Bikaner (Raj.).
4. Kamal Kishore S/o Chhagan Lal Daga, R/o Katla Chowk, Nokha, Dist. Bikaner (Raj.).
5. Brij Mohan S/o Chhagan Lal Daga, R/o Katla Chowk, Nokha, Dist. Bikaner (Raj.).
6. Lalit Kumar S/o Shri Dulichand Daga, R/o Ward No. 12, Jain Chowk, Nokha, Bikaner (Rajasthan).

----Respondents

For Appellant(s)	:	Mr. D.D. Chitlangi
For Respondent(s)	:	Mr. Dron Kaushik

HON'BLE MS. JUSTICE REKHA BORANA

Order

23/03/2026

1. Counsel for the appellants submits that as application under Order IX Rule 13, CPC as filed by the defendant stood allowed by the Trial Court, nothing survives in the present appeal. He hence, on instructions, seeks permission to withdraw the present appeal.

2. He however submits that the Court Fee as filed with the present appeal be refunded.
3. The request is genuine.
4. The present appeal is hence, **dismissed** as withdrawn.
5. The Court Fee as deposited by the appellants while filing the present appeal is directed to be refunded back to them. Certificate in this regard be issued by the Registry to counsel for the appellants.
6. Stay petition and pending applications, if any, stand **disposed of**.
7. The record be sent back to the learned Trial Court forthwith.

(REKHA BORANA),J