
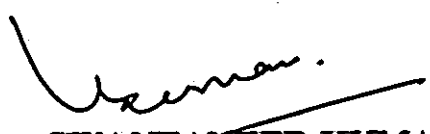


Sr. No.	Date	Orders	
		<p data-bbox="491 234 821 274">% 06.07.2005</p> <p data-bbox="491 334 1342 373">Present : Mr. B.Mohan, Adv. for the Plaintiff/Applicant</p> <p data-bbox="491 429 1045 468"><u>*IA 4948/2005 in CS (OS) 367/2004</u></p> <p data-bbox="491 488 508 515">+</p> <p data-bbox="491 577 1595 807">This is an application under Order 23 Rule 1 read with Section 151 of CPC. The Plaintiff wishes to withdraw this Suit as the matter has already been settled out of Court.</p> <p data-bbox="491 858 1595 997">Copy of this application was served in advance to the Counsel for the non-applicant.</p> <p data-bbox="491 1048 1595 1187">The case has been called out twice since morning but nobody appears on behalf of the non-applicant.</p> <p data-bbox="659 1238 1248 1278">Accordingly, the application is allowed.</p> <p data-bbox="659 1329 1333 1369">Suit No. 366/2004 is dismissed as withdrawn.</p> <p data-bbox="659 1420 1424 1459">The application and the Suit are finally disposed of.</p> <div data-bbox="1072 1499 1619 1698"> SWANTANKER KUMAR, J.</div> <p data-bbox="491 1665 732 1705">JULY 06, 2005</p> <p data-bbox="491 1716 544 1756">dk'</p> <p data-bbox="491 1886 1595 2026">After the above order was passed, the Learned Counsel appearing for the non-applicant appeared and stated that he has no</p> <p data-bbox="491 2070 775 2110"><u>CS (OS) 367/2004</u></p> <p data-bbox="1325 2070 1475 2110"><u>Pg. 1 of 2</u></p>	

Sr. No.	Date	Orders
		<p>objection if the application is allowed and the Suit is dismissed as withdrawn for the reasons stated in the application. However, he prays that his presence be recorded in the order sheet.</p> <p>Counsel appearing for the applicant is also present. In the interest of justice, the presence of the Counsel is recorded.</p> <p>The order is modified as under :</p> <p>"Present : Mr. B.Mohan, Adv. for the Plaintiff Mr. Vikrant Singh Bais, Adv. for the Respondent</p> <p><u>*IA 4948/2005 in CS (OS) 367/2004</u></p> <p>+</p> <p>This is an application under Order 23 Rule 1 read with Section 151 of the CPC praying for dismissal of the Suit. The Applicant prays for leave to withdraw the Suit for the averments made in the application. There is no objection by the non-applicant. The application is allowed. Suit is dismissed as withdrawn.</p> <p>Accordingly, the application and Suit both are finally disposed of."</p> <p> SWANTANTER KUMAR, J.</p> <p>JULY 06, 2005 dk'</p> <p>CS (OS) 367/2004</p> <p>Pc. 2 of 2</p>