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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010311312022

+ **CS(OS) 490/2022, I.A. 13079/2022, I.A. 16473/2023, I.A. 34546/2024, I.A. 43084/2024**

SUMERMAL PATAWARI TRUST

.....Plaintiff

Through: Dr. Devashish Bharuka, Senior Advocate with Mr. Vikas Sharma, Ms. Jyoti Sharma, Mr. Deekshant Kumar, Ms. Aayushi Gupta and Mr. Ashutosh, Advocates

versus

DINESH KUMAR AGGARWAL & ORS.

.....Defendants

Through: *Appearance not given.*

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

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18.08.2026

I.A. 22337/2026

1. This is an application on behalf of the Plaintiff under Order XXIII Rule 1(3) of the CPC for withdrawal of the Suit on the ground that the Suit has not been filed through the trustees.
2. For the reasons stated in the application, this Court is inclined to permit the Plaintiff to withdraw the present Suit with liberty to file a fresh Suit on the same cause of action and averments and the Suit be filed only through all the trustees.
3. Leave and liberty, as sought for, is granted.
4. The Suit is disposed of along with all the pending application(s).
5. The Plaintiff is permitted to file a fresh Suit, the only change being



the Suit would now be filed through all the trustees.

AUGUST 18, 2026
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SUBRAMONIUM PRASAD, J