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

+ **CS(OS) 558/2001**

TARIF SINGH

..... Plaintiff

Through: Mr. Arjun Singh Bawa, Advocate
with Ms. Vishakha Gupta, Advocate.

versus

RAMA GULATI THRU LR'S B+

..... Defendants

Through: Mr. Nishant Das, Advocate for
defendants.
Ms. Anjali Sharma, Advocate for
Royal Orchids (the intending
purchaser)

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% 01.12.2017

I.A. No.14252/2017 (under Order 23 Rule 3 CPC by parties)

1. This I.A. is disposed of reserving liberty to any or all the parties who are parties to the new MoU dated 28.11.2017 to file appropriate independent proceedings for appropriate reliefs, and it is clarified that in view of the nature of the transaction and the language of Section 28 of the Specific Relief Act, 1963, filing of a fresh suit on the basis of the MoU dated 28.11.2017 will not bar the parties with respect to the fresh suit on the fresh cause of action contained in the MoU dated 28.11.2017.

2. Application is accordingly disposed of but subject to aforesaid liberty.

VALMIKI J. MEHTA, J

DECEMBER 01, 2017

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