

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

+ CS(OS) 473/2014 & IA No.3191/2014
& IA No.9694/2015

Decided on: 07.05.2015

IN THE MATTER OF:

SHOBHA SETH

..... Plaintiff

Through Mr.Ajit Sharma, Advocate

versus

RAVI KHANNA & ORS.

.... Defendants

Through Mr.Ashish Kumar, Advocate for D-1
Mr.Rajesh Lathigara, Advocate for D-2, D-5 to
D-7

CORAM

HON'BLE MS.JUSTICE HIMA KOHLI

HIMA KOHLI, J.(Oral)

1. Counsel for the plaintiff states that he had informed the Joint Registrar on 10.4.2015 that her client had arrived at a settlement with all the defendants, except for the defendant No.1 and she did not wish to pursue the present suit any further.

2. In view of the said submission, the case has been placed before the court. Pertinently, on the last date of hearing, the defendant No.1 had remained unserved, though a counsel had entered appearance on behalf of the defendants No.2, & 5 to 7.

3. Counsel for the plaintiff reiterates the said submission and states that he may be permitted to withdraw the suit in view of a settlement arrived at with all the defendants, except for defendant No.1.

4. At this stage, learned counsel enters for the defendant No.1 and states that the defendant No.1 may be transposed as a plaintiff in the suit.

5. In view of the submission made by learned counsel for the plaintiff that he has instructions to withdraw the suit, the same is dismissed as withdrawn, along with pending applications. However, liberty is granted to the defendant No.1 to seek his remedies against the plaintiff and/or other defendants, in independent proceedings, as may be available to him, in law.

MAY 07, 2015
Mk/ak

(HIMA KOHLI)
JUDGE