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

+ CS(OS) 1452/2014 & IA No.9527/2014

RAJENDER PRASAD

..... Plaintiff

Through : None.

versus

POONAM SHARMA & ANR

..... Defendants

Through : None.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

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21.04.2015

1. A perusal of the order dated 6.4.2015 passed by the learned Joint Registrar reveals that the counsel for the plaintiff had made a submission to the effect that his client wished to withdraw the present suit with liberty to file a fresh suit on the same cause of action.
2. Vide order dated 23.9.2014, the parties had been referred to the Delhi High Court Mediation & Conciliation Centre, for negotiating a settlement. Thereafter a Settlement Agreement dated 24.11.2014 was forwarded to the court, whereunder it has been recorded that the plaintiff wished to withdraw the present suit against the defendant No.2 and he wished to implead some other parties against whom his cause of action survives. The plaintiff and the defendants No.1 & 2 have signed the Settlement Agreement dated 24.11.2014 along with the learned Mediator.

3. The case was passed over on the first call, as neither the plaintiff nor the defendants were present. Same is the position on the second call.

4. The suit is accordingly dismissed in default and for non-prosecution, along with the pending application.

APRIL 21, 2015

sk/mk

HIMA KOHLI, J