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

+ CS(OS) 2158/2008 & IA No.12437/2008

ROMMEL INVESTMENT PVT. LTD Plaintiff
Through : Mr. Jatin Zaveri, Advocate

versus

N.S.E & ORS Defendants
Through : Mr.Rajiv Bahl, Advocate for D-2.
Ms. Mithun Jain with
Mr. Deepak Pathak, Advocate
for D-3/Oxford International Finance Limited.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
ORDER
% **27.11.2015**

1. The present suit for mandatory injunction has been instituted by the plaintiff against five defendants and the same is at the stage of framing of issues.
2. Counsel for the plaintiff states at the outset that the contesting defendants in the present suit are defendant No.1/NSE and defendant No.3/Oxford International Finance Limited. He seeks leave to withdraw the present suit with liberty to institute a fresh suit against the defendant no. 1 and 3 at Mumbai.
3. Counsels for the parties jointly clarify that vide order dated 12.10.2009, the name of the original defendant No.3/SEBI was struck off from the array of parties and resultantly, Oxford International

Finance Limited is defendant no. 3.

4. Counsels for the defendant No. 2 and defendant no. 3/Oxford International Finance Limited state that they do not have any objection to the request made by the other side.

5. Accordingly, liberty is granted to the plaintiff/company to withdraw the present suit, while reserving its right to institute a fresh suit against defendants No.1 & 3, before the competent court, in accordance with law.

6. At this stage, counsel for the plaintiff states that the original documents filed in the present suit may be returned to him.

7. Upon the plaintiff filing the certified copies of the relevant documents, the originals thereof shall be returned to the plaintiff, through counsel.

8. The suit is disposed of, along with the pending application.

9. File be consigned to Record Room.

NOVEMBER 27, 2015
sk/ap

HIMA KOHLI, J