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

+ CS(OS) 389/2015 and I.As.No.3057 & 3058/2015

BIMLA TIWARI & ANR. Plaintiffs
Through: Mr.K.K.Tiwari and Mr.K.K.Tripathi,
Advocates
versus
SIDDHARTHA SHANKAR TIWARI Defendants
Through: None

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

% 26.08.2015

1. The present suit has been placed before the court by the learned Joint Registrar who had recorded in the order dated 29.7.2015 that the plaintiffs are not in possession of the suit premises and despite the same, they have only sought the relief of declaration, permanent and mandatory injunction in the suit, which as filed, is not maintainable.
2. Counsel for the plaintiffs seeks leave to withdraw the present suit, while reserving the rights of his clients to file a fresh suit, and include therein all the reliefs that they are entitled to claim in law, in respect of the suit premises, including the relief of possession.
3. Leave, as prayed for, is granted. The suit is dismissed as withdrawn, along with pending applications.

HIMA KOHLI, J

AUGUST 26, 2015

mk/rkb

