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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 1637/2015 & IA No. 11715/2015 (u/O 39 R 1 & 2 CPC)
PAREMVIR MALIK Plaintiff
Through Mr. Sudhanshu Batra, Senior
Advocate along with Mr. Ankur
Aggarwal, Mr. Abhishek Goyal and
Mr. Nitin Shrma, Advocates

versus

RAMBIR MALIK & ORS Defendants
Through None

+ CS(OS) 1638/2015 & IA No. 11717/2015 (u/O 39 R 1 & 2 CPC)
PAREMVIR MALIK Plaintiff
Through Mr. Sudhanshu Batra, Senior
Advocate along with Mr. Ankur
Aggarwal, Mr. Abhishek Goyal and
Mr. Nitin Shrma, Advocates

versus

RAMBIR MALIK & ORS Defendants
Through None

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI

ORDER
% **13.10.2015**

1. Mr. Batra, learned Senior Advocate appearing for the plaintiff states on instructions from his briefing counsel that the plaintiff may be permitted to withdraw the present suits while reserving their right to file a fresh suit for the same relief, as may be permissible in accordance with law.

2. Leave, as prayed for, is granted. The suits are dismissed as withdrawn along with the pending applications.

3. At this stage, learned Senior Advocate appearing for the plaintiff requests that the Registry may be directed to issue a certificate for refund of the court fees to enable the plaintiffs to institute fresh suits based on the same cause of action.

4. Having regard to the fact that the suits are at the stage of admission and summons have yet to be issued, in the interest of justice, the Registry is directed to issue a certificate in favour of the plaintiff for refund of the court fees in both the suits, as per law.

HIMA KOHLI, J

OCTOBER 13, 2015

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