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

+ CS(OS) 91/2016 & I.A.Nos. 2505/16 (stay) & 2506/16 (U/o 39 R 10 CPC)

SMT MEENAKSHI GULIA & ANR Plaintiffs

Through: Mr. Naresh Kumar Beniwal, Adv.

versus

SH JAGDEV SINGH & ORS Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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22.02.2016

1. Learned counsel for the plaintiffs seeks to withdraw the present suit with liberty to file a fresh suit on account of this plaint lacking necessary averments, and as required of the plaintiffs alleging existence of HUF property and which aspect has been discussed in detail in the judgment in the case of ***Sh. Surender Kumar Vs. Sh. Dhani Ram and Others*** in CS(OS) No.1737/2012 decided on 18.1.2016.

2. Suit is allowed to be withdrawn with the aforesaid liberty and plaintiff will be bound to make the necessary averments as required in law for existence of an HUF properties and continuation of the HUF properties till the filing of the suit for the plaintiffs to claim reliefs.

VALMIKI J. MEHTA, J

FEBRUARY 22, 2016/ib