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

+ **CS(OS) 328/2016**

**DHANANJAY RATHI & ORS** ..... Plaintiffs

Through: Mr. Deepak Garg, Adv. for Mr. Dinesh  
Kumar Garg, Adv.

versus

**DEEPAK RATHI & ORS** ..... Defendants

Through: D-1 in person.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**ORDER**

% **29.11.2016**

1. The counsel for the plaintiffs and the defendant No.1 appear in person today also seek adjournment stating that they are attempting to amicably resolve the family dispute.

2. It is not deemed appropriate to keep on adjourning this suit in this manner particularly when on the very first day when the suit had come up, doubts as to the maintainability were expressed and when the counsel for the plaintiffs had sought adjournment.

3. I have satisfied myself that the plaintiffs have spent Rs.60 only on court fee.

4. The suit is dismissed with liberty to the plaintiffs to file again, if are able to make out a cause of action, and on the condition that the plaintiffs, alongwith the fresh proceedings if any filed shall file the orders dated 11<sup>th</sup> July, 2016, 22<sup>nd</sup> August, 2016 and today's order therewith.

No costs.

**RAJIV SAHAI ENDLAW, J**

**NOVEMBER 29, 2016/M..**