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

+ **CO.A(SB) 43/2013**

SURISTH TIWARY

..... Appellant

Through: Mr. Sumesh Dhawan, Advocate with Mr. Subrahmanyam B.K.V., Mr. Pervinder and Ms. Vatsala Kak Panda, Advocates

versus

**M/S BASELINE INFRADEVELOPERS
PVT LTD**

..... Respondent

Through: Mr. Arun Bhardwaj, Sr. Advocate with Mr. Alok Agarwal and Mr. Karan Yadav, Advocates for R-1 & R-2
Mr. Himanshu Vij, Advocate with Ms. Manisha Chaudhary, Advocate for R-5, R-6, R-7, R-8 & R-9

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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15.12.2016

The present appeal under Section 10F of the Companies Act, 1956 (hereinafter referred to as 'the said Act') assails the order dated 27.06.2013, rendered by the learned Company Law Board in CO.APPL.56/2013 in CO.PET.141 (ND) of 2012.

The said CO.APPL.56/2013, under Section 405 of the said Act and Regulation 44 of the Company Law Board Regulations, 1991, had been instituted on behalf of the appellant herein, seeking impleadment in the said CO.PET.141 (ND) of 2012, instituted on behalf of respondent Nos.5 to 9 herein, against respondent Nos.1 to 4.

Counsel appearing on behalf of respondent Nos.5 to 9 states that the petitioner in CO.PET.141 (ND) of 2012 is desirous to apply a quietus to the lis and seeks permission of this Court to approach to the Company Law Board seeking unconditional withdrawal of the said CO.PET.141 (ND) of 2012.

Liberty is granted to the said respondent Nos.5 to 9 to withdraw the said CO.PET.141 (ND) of 2012, by way of an appropriate application, within a period of one week from today.

In view of the foregoing, learned counsel appearing on behalf of the appellant, who had originally instituted the said CO.APPL.56/2013 seeking impleadment in CO.PET.141 (ND) of 2012 seeks leave to withdraw this appeal, with liberty to institute appropriate proceedings, in accordance with law, if so advised, against the respondents.

Leave and liberty granted.

The appeal is disposed of with the above directions.

Interim orders, if any, stand vacated.

SIDDHARTH MRIDUL, J

DECEMBER 15, 2016

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