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

+ **CS(OS) 230/2016 and I.A. No.5897/2016 (stay)**

MEENAKSHI KAPURIA

..... Plaintiff

Through: **Mr. Debesh Panda, Advocate.**

Versus

PRADEEP KUMAR & ORS

..... Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **11.05.2016**

1. Counsel for the plaintiff states that he has instructions to withdraw the suit and accordingly he prays for and is granted liberty to file a fresh suit provided fresh suit is filed in accordance with a legal cause of action and the suit is not barred by law in view of the judgments of the Supreme Court in the cases of *Yudhishter Vs. Ashok Kumar, (1987) 1 SCC 204* and *Commissioner of Wealth Tax, Kanpur and Others Vs. Chander Sen and Others, (1986) 3 SCC 567* and ratios of which judgments have been referred to by this Court in the cases of *Surender Kumar Vs. Dhani Ram and Ors., 227 (2016) DLT 217* and *Mrs. Saroj Salkan Vs. Mrs. Huma*

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Singh and Ors. in CS(OS) No.683/2007 decided on 5.5.2016.

2. Suit is accordingly disposed of in terms of aforesaid observations.

VALMIKI J. MEHTA, J

MAY 11, 2016

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