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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 81/2015

SUMRIDHI ALUMINIUM PVT LTD

..... Plaintiff

Through Mr. Rahul Gupta and Mr. Shekhar Gupta,
Advocates

versus

JANSEN RECYCLING GROUP B.V & ORS.

..... Defendants

Through Ms. Ritu Bhalla and Mr. Raghav Gupta,
Advocates for defendant no.1.
Mr. Sharique Husain, Advocate for
defendant no.2.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

ORDER

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24.10.2016

The plaintiff has filed the present suit seeking a decree of permanent injunction in favour of the plaintiff restraining defendant no.2 bank from return and handing over the original Bill of Lading(BOL) bearing No.MSCURZ 459855 and No.MSCURZ 430035 to defendant no.1 and also restraining defendant no.3 from delivering back the goods under the original Bill of Lading No.MUCURZ 459885 and No.MSCURZ 430035 to defendant no.1.

Mr. Gupta, learned counsel for the plaintiff submits that the present suit has just become infrutuous as the goods sought to be restrained have already been supplied and he would be filing a fresh suit for recovery. Accordingly, the present suit is dismissed as withdrawn to enable the plaintiff to seek such remedy as may be available in accordance with law.

The interim orders stand vacated.

IAS.26230/2015, 8335/2016 and 12547/2016 stand disposed of in view of the suit having been withdrawn.

G.S.SISTANI, J

OCTOBER 24, 2016

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