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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT (LODGING) NO.915 OF 2016

Jhothy Laboratories Ltd.

...Plaintiff

V/s.

Ishwar Soap Factory

...Defendant

Mr.Ashutosh Kane with Ms.Laher Shah i/b W.S. Kane & Co. for the Plaintiff.

None for the Defendant.

CORAM : R.D. DHANUKA, J.

DATE : 13TH JUNE, 2017.

P.C. :-

1. Learned counsel appearing for the plaintiff states that after filing of this suit, the plaintiff has noticed various new facts, which are required to be incorporated in the fresh suit. He states that instead of carrying out substantial amendment to the plaint, his client be granted liberty to withdraw this suit with liberty to file a fresh suit. The statements made by the learned counsel for the plaintiff are accepted.

2. Suit (Lodging) No.915 of 2016 is dismissed as withdrawn with liberty to file a fresh suit.

3. In view of the withdrawal of the suit, Leave Petition

(Lodging) No.279 of 2016 as well as Notice of Motion (Lodging) No.2757 of 2016 do not survive and are accordingly disposed of. Refund of Court fees, if any, as per Rules.

(R.D. DHANUKA, J.)