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

+ CS(COMM) 172/2016

M/S DIPPED PRODUCTS PLC Plaintiff
 Through Ms. Suruchi Mittal, Advocate

versus

ASHOK KUMAR Defendant
 Through None for D-5.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER% **11.12.2017****I.A. 14700/2017**

Keeping in view the averments in the application, the delay in filing the restoration application is condoned.

Accordingly, the application stands disposed of.

I.A. 14699/2017

Present application has been filed under Order 9 Rule 4 read with Section 151 CPC for restoration of the present suit.

Keeping in view the averments in the application, the suit is restored to its original number i.e. CS (COMM) 172/2016.

Accordingly, the application stands disposed of.

CS (COMM) 172/2016 & I.A. 21087/2015

Learned counsel for the plaintiff states that she has received instruction from the plaintiff to withdraw the suit against the sole surviving

defendant i.e. defendant no. 5.

As the present suit has already been settled and decreed with respect to rest of the defendants i.e. defendant nos. 1 to 4, present suit is permitted to be withdrawn qua the surviving defendant no. 5.

Consequently, the present suit and pending application stand disposed of.

MANMOHAN, J

DECEMBER 11, 2017

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