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

+ **CS(OS) 316/2016**

DEV SHANKER PANDEY

..... Plaintiff

Represented by: Mr. A.K. Tripathi, Advocate.

versus

RAGHU DUTT PANDEY ORS.

..... Defendants

Represented by: None.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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11.08.2017

I.A. No. 9129/2017 (under Section 151 CPC)

1. By this application the plaintiff seeks leave to withdraw the suit with liberty to file the fresh suit as noted in the order dated 3rd August, 2017.
2. Considering that the application is supported by the affidavit of the plaintiff, leave is granted to the plaintiff to withdraw the suit with liberty to file a fresh suit on the same cause of action subject to its maintainability in accordance with law.
3. Application is disposed of.

CS(OS) 316/2016

1. Suit is dismissed as withdrawn with liberty as prayed for subject to the maintainability in accordance with law.
2. Date of 20th November, 2017 is cancelled.

MUKTA GUPTA, J.

AUGUST 11, 2017

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