

\$~55

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

+ C.R.P. 208/2017

SUSHANTA MUKHERJEE & ORS

..... Petitioners

Through: Mr. Rakesh Malhotra and Mr. R.K.
Tripathi, Advs.

Versus

AMALGAMATED BEAN COFFEE TRADING
CO LTD

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **20.09.2017**

CM No.34624/2017 (for exemption)

1. Allowed, subject to just exceptions.
2. The application is disposed of.

C.R.P. 208/2017 & CMs No.34622/2017 (for stay), 34623/2017 (for condonation of 10 days delay in filing) & 34625/2017 (for condonation of 128 days delay in re-filing)

3. This petition under Section 115 of the Code of Civil Procedure, 1908 (CPC) impugns the order (dated 22nd December, 2016 in Suit No.5849/2016 of the Court of Additional District Judge, South District, Saket Courts, New Delhi) of dismissal of the application of the petitioners/plaintiffs under Order XII Rule 6 of CPC.

4. After arguments, the counsel for the petitioners/plaintiffs withdraws this petition.

5. Dismissed as withdrawn.

No costs.

RAJIV SAHAI ENDLAW, J.

SEPTEMBER 20, 2017/bs..