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

+ **CS(COMM) No.873/2016**

RELIANCE INDUSTRIES LTD. Plaintiff

Through: Mr. G. Raghu Chandra, Adv.

versus

VIJAY CABLE INDUSTRIES & ORS. Defendants

Through: Mr. Rajesh Banati and Mr. Vikram

Singh, Advs. for D-1, 2, 4 &5.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **23.02.2017**

IA No.2435/2017 (of the plaintiff under Order XXIII Rule 1 CPC).

1. The counsel for the defendants no.1,2,4 &5 appears on advance notice.
2. The applicant/plaintiff seeks to unconditionally withdraw the suit.
3. The counsel for the defendants no.1,2,4 &5 who is the only contesting counsel states that though he has no objection but contends that the defendants have been dragged in the suit since the year 1998 since when the suit is pending.
4. Considering the reasons given by the applicant/plaintiff, for withdrawal of the suit, is the long time for which the suit has remained pending and it being now no longer commercially viable for the applicant/plaintiff to pursue the suit, it is not deemed apposite to award any costs to the defendants no.1,2,4 &5.
5. The application is allowed and disposed of.

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6. The suit is dismissed as withdrawn.

No costs.

RAJIV SAHAI ENDLAW, J

FEBRUARY 23, 2017

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