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

+ CS(OS) 631/2016

RAMBIR SINGH Plaintiff

Through: Mr. Bahar-U-Barqi, Adv.

Versus

URBAN IMPROVEMENT COMPANY

PVT LTD & ORS Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **06.03.2017**

1. This order is in continuance of the order dated 23rd December, 2016 whereby queries were put to the counsel for the plaintiff as to the maintainability of the suit.
2. The counsel for the plaintiff thereafter on 16th January, 2017 and 15th February, 2017 sought adjournments.
3. Today, the counsel for the plaintiff seeks to withdraw the suit with liberty to agitate the pleas as taken herein before the Additional Rent Controller in eviction proceedings initiated by defendants no.2 to 13 against the plaintiff.
4. Dismissed as withdrawn with liberty aforesaid and clarifying that the liberty does not extend to filing a fresh suit on the same cause of action by the plaintiff.
5. The counsel for the plaintiff seeks refund of court fees.
6. Out of the court fees deposited of Rs.2,25,000/-, a certificate entitling the plaintiff to refund of Rs.1,75,000/- be handed over to the counsel for the plaintiff.

RAJIV SAHAI ENDLAW, J

MARCH 06, 2017

‘gsr’..