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IN THE HIGH COURT OF DELHI AT NEW DELHI

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RFA 204/2018 and C.M. Appl. Nos. 7470-72/2018

HEAVENS INCORPORATION

..... Appellant

Through: Mr. Salar M. Khan and Mr. Abhigyan
Choudhary, Advocates.

versus

KUNTI SHARNAM BUILDERS PVT LTD & ORS Respondents

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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27.02.2018

1. After arguments, this appeal is disposed of as not pressed, inasmuch as, dismissal of a suit under Section 69 of the Indian Partnership Act, 1932 on account of the plaintiff partnership firm being not registered under the Partnership Act would be a ground which will be used by the appellant/plaintiff for exemption under Section 14 of the Limitation Act, 1963 with respect to the fresh suit which the plaintiff proposes to file.

2. Accordingly, while allowing the appellant/plaintiff to withdraw this appeal it is observed that in case the appellant/plaintiff files an application in the fresh suit under Section 14 of the Limitation Act, the concerned court will liberally consider the same in accordance with law.

3. The appeal is disposed of with the aforesaid observations.

VALMIKI J. MEHTA, J

FEBRUARY 27, 2018

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