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

+ **CS(COMM) 134/2017**

DKH RETAIL LTD

..... Plaintiff

Through: Mr. Nitin Sharma, Mr. Sumant
Narang & Mr. Shobhit K. Srivastava,
Advocates (M-9810621272).

versus

NINETY NINE LABELS PVT LTD

..... Defendant

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

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04.07.2018

I.A. 8416/2018 (U/O 23 Rule 1 CPC) in CS(COMM)-134/2017

This is an application under Order XXIII Rule 1 CPC. The counsel for the Plaintiff submits that the Defendant is no longer operating the website www.99labels.com where the impugned goods bearing the Plaintiff's mark, labels, etc. were being offered and advertised. In view of this, the Plaintiff wishes to withdraw the present suit.

The suit is dismissed as withdrawn. Needless to say, if there is a fresh cause of action, the Plaintiff would avail remedies in accordance with law. The next date of hearing is cancelled.

PRATHIBA M. SINGH, J

JULY 04, 2018

Rahul