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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ CS(OS) 248/2016, IA No.6383/2016 (under Order XXXIX Rules 1&2  
CPC) and IA No.6088/2017 (under Order XII Rule 6 CPC).  
I.G. BUILDERS AND PROMOTERS PVT. LTD. .... Plaintiff

Through: Ms. Manmeet Arora, Mr. Tarang Gupta,  
Advs. with Mr. Gireesh Chaudhary, AR  
of the plaintiff.

versus

KAMLA MEHTA (DECEASED) THROUGH LRS ..... Defendant

Through: Mr. D.P. Singh and Ms. Sonam Gupta,  
Advs. with Mr. P. Nandan, Power of  
Attorney holder of the defendant.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**ORDER**

% **17.01.2018**

**IA No.795/2018 (of the plaintiff under Order XXIII Rule 1 CPC).**

1. The counsel for the defendant appears on advance notice and has no objection.
2. Allowed and disposed of.

**CS(OS) 248/2016, IA No.6383/2016 (under Order XXXIX Rules 1&2 CPC)**  
**and IA No.6088/2017 (under Order XII Rule 6 CPC).**

3. The counsel for the plaintiff under instructions from Mr. Gireesh Chaudhary, Director of the plaintiff stated to be present in Court withdraws this suit.
4. In accordance with the application under Order XXIII Rule 1 of CPC and statement aforesaid, the suit is dismissed as withdrawn.
5. A certificate entitling the plaintiff to refund of 75% of the court fees paid on the plaint be issued and handed over to the counsel for the plaintiff.
6. The date of 14<sup>th</sup> May, 2018 is cancelled.

*Dasti.*

**RAJIV SAHAI ENDLAW, J**

**JANUARY 17, 2018/'pp'..**