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

+ CS(OS) 310/2018

SHAKTI KUMAR KHOSLA ..... Plaintiff  
Through: Mr.Ankur Mahindro and Mr.Sresth  
Choudhary, Advocates

versus

SURESH KUMAR KHOSLA & ORS ..... Defendants  
Through: Ms.Shoba Ramamoorthy, Mr.Sriram  
J. Thalapathy, Ms. Shilp Vinod and  
Mr. Pushkin Rajkumar, Advocate for  
D-1  
Defendant No.1 present in person  
Mr. Ramya Kutty, Advocate for D-2

**CORAM:**  
**HON'BLE MR. JUSTICE J.R. MIDHA**

% **ORDER**  
**03.07.2018**

**CAVEAT 584/2018**

1. Learned counsel for caveator is present in Court. The caveat is discharged.

**CS (OS) 310/2018 & I.A. Nos. 8327-8328/2018**

2. Learned counsel for the plaintiff submits, on instruction of plaintiff's attorney, Ms. Manisha Baweja that certain material facts could not be incorporated in the plaint and there are formal defects in the plaint. The plaintiff seeks permission to withdraw the suit with liberty to file a fresh suit.

3. The suit is dismissed as withdrawn with liberty as prayed for.

4. The pending applications are disposed of.
5. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.

**J.R. MIDHA, J.**

**JULY 03, 2018**

**ds**