

\$~7

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

+ CM(M) 120/2016

DR SHANTI SARUP BATRA THR LR Petitioner

Through: Mr. D.S. Patial, Adv.

versus

DHARAM DEVI & ORS Respondents

Through: Mr. Hemant Gupta, Adv. with the
respondents in person.

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **01.05.2018**

It is pointed out by the counsel for the respondent that the civil suit (CS No. 50/94) on the file of which the impugned order dated 05.05.2015 was passed has since been dismissed in default and for non-prosecution and the application of the petitioner (the plaintiff of the case) for restoration also dismissed.

After some hearing, the counsel for the petitioner submits that he may be allowed to withdraw the present petition, the petitioner reserving the right to pursue appropriate remedy in the event of his appeal presently pending for restoration of the suit being allowed and the suit being consequently revived, he also being constrained to bring in certain amendments on account of some subsequent developments.

The petition is dismissed as withdrawn.

R.K.GAUBA, J.

MAY 01, 2018/uj