

\$~11

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

+ **CS(OS) 457/2017**

JOHN NAGAR

..... Plaintiff

Through: Mr. Nakul Mohta, Advocate with Ms.
Aarti Kumar, Advocate.

versus

AJAY CHAUDHRY & ANR

..... Defendants

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

%

01.05.2018

**I.A. No.5814/2018 (under Order 23 Rule 1 CPC by plaintiff) & CS(OS)
No.457/2017**

1. This application is allowed and the suit is allowed to be withdrawn with liberty to the plaintiff to defend the suit filed by the defendants at Gurgaon in Haryana as also if required to file appropriate independent proceedings in the competent court.

2. Suit and the application are disposed of.

3. Since the suit is withdrawn before commencement of recording of evidence, plaintiff is held entitled to refund of 50% of the court fee in

CS(OS) No.457/2017

page 1 of 2

terms of Section 16-A of the Court-Fees Act, 1870(as applicable to Delhi).

Registry will issue the necessary certificate in favour of the plaintiff.

VALMIKI J. MEHTA, J

MAY 01, 2018

Ne

CS(OS) No.457/2017

page 2 of 2