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

+ **W.P.(C) 13739/2018 & C.M. No. Nos.53590-591/2018**

HONSHU BUILDCON PRIVATE LIMITED Petitioner

Through: Mr.B.S. Wali, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION Respondent

Through: Mr.Ajay Digpaul with Ms.Madhuri
Dhingra, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **19.12.2018**

After some arguments, learned counsel for the petitioner seeks leave to withdraw the present petition in view of the admitted position that a suit for recovery being Civil Suit No.1120/2018 filed by the respondent against the petitioner in respect of the same transaction is already pending adjudication before the learned District and Sessions Judge, South East, Saket Court, New Delhi. He however, seeks liberty to take all the contentions raised in the present petition by way of his defence in the aforesaid suit.

The petition is dismissed as withdrawn along with the pending applications with liberty as prayed for.

REKHA PALLI, J

DECEMBER 19, 2018/gm