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

+ LPA 661/2019 & CM APPLs. 45071-45074/2019

ANKUR MUTREJA Appellant
Through Petitioner in person.

versus

BSES YAMUNA POWER LTD (BYPL) Respondent
Through None.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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15.10.2019

1. The appellant/plaintiff is aggrieved by an order dated 04.07.2019, passed by the learned Single Judge whereunder the suit instituted by him for seeking a decree for a sum of Rs.10 crores against the respondent No.1/defendant No.1/BSES Yamuna Power Ltd. and in favour of the defendant No.2/Delhi High Court Legal Services Committee, was dismissed. Besides seeking a decree of Rs.10 crores against the defendant No.1/BSES Yamuna Power Ltd., payable to the defendant No.2/Delhi High Court Legal Services Committee, the appellant/plaintiff has also prayed for a decree of mandatory injunction against the respondent No.1/defendant No.1/BSES Yamuna Power Ltd. directing it to install an electricity connection at his premises.

2. In the impugned order, the learned Single Judge has noted that despite several opportunities granted to the appellant/plaintiff, he has failed to pay

the necessary ad-valorem court fees on the first relief i.e. for recovery of Rs.10 crores. As a result, summons were issued to the respondent No.1/defendant No.1/BSES Yamuna Power Ltd. limited to the second relief and further, observing that the defendant No.2/Delhi High Court Legal Services Committee was neither a necessary, nor a proper party in the suit proceedings, the said defendant was directed to be deleted from the array of parties.

3. After addressing arguments for a while, the appellant/plaintiff, who appears in person, seeks leave to withdraw the present appeal.

4. Leave as prayed for is granted. The appeal is dismissed as withdrawn alongwith the pending applications.

HIMA KOHLI, J

ASHA MENON, J

OCTOBER 15, 2019/MK/s