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

+ CS(OS) 589/2018 & IAs No.15797/2018 & 16332/2018 (both u/O XXXIX R-1&2 CPC) & 15798/2018 (u/O II R-2 CPC)

YOGESHWARI DEVI MUDGAL & ORS Plaintiffs

Through: Ms. Tarini Bhargava, Adv. for Mr.
Kapil Sankhla, Adv.

Versus

MAHAVIR PRASAD MUDGAL & ORS Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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28.01.2019

1. This order is in pursuance to the earlier orders dated 20th November, 2018, 30th November, 2018 and 10th December, 2018.
2. The counsel for the plaintiffs states that the plaintiffs have deposited the costs imposed on 10th December, 2018 and has furnished the proof to the Court Master. The Court Master confirms.
3. The counsel for the plaintiffs further states that the plaintiffs have on 25th January, 2019 also filed an application for withdrawal of the suit with liberty to file a fresh properly constituted suit.
4. Though the application is not before this Court but on oral request of Ms. Tarini Bhargava, an associate of Mr. Kapil Sankhla, Advocate for the plaintiffs, the suit is dismissed as withdrawn with liberty to file a properly constituted suit in accordance with law.

5. The suit is dismissed as withdrawn with liberty aforesaid.
6. On request, it is further ordered that a certificate be issued entitling the plaintiffs to refund of the court fees paid, less Rs.40,000/-.

RAJIV SAHAI ENDLAW, J.

JANUARY 28, 2019
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