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

+ **FAO(OS) (COMM) 303/2018 & CM No. 52890/2018**

RITA AGARWAL

..... Appellant

Through: Mr. Sougat Sinha, Advocate.

versus

UDAY MEDICARE PVT LTD & ORS.

..... Respondents

Through: None.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE SANJEEV NARULA

ORDER

% **28.01.2019**

1. Learned counsel for the Appellant states that in terms of the impugned order, the plaint has being returned along with the Court fees and the original documents “for filing in the Court of appropriate jurisdiction”.

2. The Appellant states that the Plaintiffs are willing to go to the Court of the learned Additional District Judge pursuant to the impugned order. However, the time spent as far as pursuing the present appeal is concerned, will have to be accounted for by the Appellant by filing an appropriate application in accordance with law, which will then be considered on merits by the said Court.

3. Subject to the above observations, the appeal along with the pending

application is permitted to be withdrawn and is disposed of as such.

S. MURALIDHAR, J.

SANJEEV NARULA, J.

JANUARY 28, 2019

ss