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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 710/2018**

**OKS GROUP INTERNATIONAL
PRIVATE LIMITED** Plaintiff
Through **Ms. Diya Kapur, Adv.**

versus

**AXTRIA INDIA PRIVATE
LIMITED AND ORS** Defendants
Through **Mr. Gaurav Bahl, Adv.**

**CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR**

ORDER
% **13.01.2021**
(Video-Conferencing)

IA 77/2021 (Order XXIII Rule 1 CPC) and CS(COMM) 710/2018

1. By this application under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 (CPC), the plaintiff seeks leave to withdraw the plaint “without affecting any other proceedings”.

2. I made it clear to Ms. Diya Kapur, learned counsel for the plaintiff, that it is not possible for this Court to condition the grant of permission to withdraw the plaint with any caveat of the nature sought. As to whether the present withdrawal would, or would not, affect any other proceedings before any other forum, would have to be decided by that forum, which is seized of those proceedings.

3. This Court cannot inhibit any other Court or other authority for taking a view in that regard.
4. Ms. Diya Kapoor merely requests this Court to record her submission that she is withdrawing the present suit without affecting any other proceedings. The submission is recorded, but no opinion is expressed thereon.
5. This Court is, therefore, granting unconditional leave to the plaintiff to withdraw the present proceedings without any caveat, as sought in the prayer clause.
6. Needless to say, interim orders passed in the suit stand vacated.
7. The application stands allowed and disposed of.
8. The Suit is dismissed as withdrawn.

IAs 10732/2015 (Order XXXIX Rule 1 and 2 CPC), 15330/2015 (Order I Rule 10 CPC), 15331/2015 (Order VII Rule 11 CPC) and 3183/2018 (Order VI Rule 17 CPC)

In view of the order passed in the suit today, these applications stand disposed of.

C. HARI SHANKAR, J.

JANUARY 13, 2021
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