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

+ **CS(COMM) 45/2024 & I.A. 1141-1144/2024**

ALPHA CORP DEVELOPMENT LIMITED Plaintiff

Through: Mr. Rahul Sagar Sahay, Mr.
Raghav Rajmalani & Mr. Prince
Kumar Singh, Advocates.

versus

YES BANK LIMITED Defendant

Through: Mr. Neeraj Yadav & Mr. Sidharth
Arora, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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18.01.2024

1. After some hearing, Mr. Rahul Sagar Sahay, learned counsel for the plaintiff, seeks permission to withdraw the suit, with liberty to institute a fresh suit after complying with Section 12A of the Commercial Courts Act, 2015 [“the Act”].
2. However, Mr. Sahay submits that he would like to make an attempt to settle the disputes between the parties by mediation before Samadhan, Delhi High Court Mediation and Conciliation Centre, Shershah Road, New Delhi-110503 [“Samadhan”].
3. Mr. Neeraj Yadav, learned counsel for the defendant, has no objection to the request, without prejudice to all rights and contentions available to the defendant in the event a fresh suit is instituted by the plaintiff at any stage.



4. In view of the aforesaid request of learned counsel for the parties, they will appear before the Samadhan on 23.01.2024.

5. It is made clear this process has been undertaken at the request of the plaintiff, and will not amount to compliance with Section 12A of the Act.

6. The suit, alongwith pending applications, is dismissed as withdrawn, with liberty in terms of the above observations.

PRATEEK JALAN, J

JANUARY 18, 2024

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