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

+ **CS(COMM) 247/2022 with I.A. 6003/2022**

M S AVON CYCLES LIMITED

.....Plaintiff

Through: Mr. Amit Jain, Mr. Sumit Kumar and Mr. B.
Dhananjay, Advocates

versus

**M S A ONE STEEL AND ALLOYS PRIVATE
LIMITED**

.....Defendant

Through: Mr. Peeyoosh Kalra, Ms. Meera Kaura
Patel, Mr. Yashdeep Baghel and Mr. Puru
Pratap Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

04.11.2024

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I.A. No. 43987/2024 (under Order XXIII Rule 1 CPC)

1. This application has been filed on behalf of plaintiff under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 ['CPC'] seeking to withdraw the present suit.
2. Counsel appearing on behalf of the defendant does not object to the same.
3. Accordingly, the application is allowed and the present suit is dismissed as withdrawn.
4. Needless to state that the plaintiff shall have the liberty to institute a fresh suit against the defendant based on a fresh cause of action.

CS(COMM) 247/2022 with I.A. 6003/2022

5. In view of the order passed in I.A. 43987/2024, the present suit is dismissed as withdrawn.
6. All the pending application(s) shall stands disposed of.

AMIT BANSAL, J

NOVEMBER 4, 2024/tp