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

+ **CS(OS) 349/2024 & I.A. 9867/2024, I.A. 9868/2024**

SHRI DINESH KUMAR & ORS.Plaintiffs

Through: Mr. Harsh Sethi, Mr. Ankur Garg,
Mr. Devanshu, Advocates for plaintiff
no. 1
Mr. Akshay Makhija, Senior
Advocate alongwith Mr. Shashank
Sharma, Advocate for plaintiff nos. 2,
3 and 4

versus

SHRI NIRMAL KUMAR & ORS.Defendants

Through: Mr. Vinam Gupta, Ms. Megha Rana,
Advocates for D-1 to 4.

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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26.11.2024

1. Learned senior counsel appearing on behalf of plaintiff nos. 2, 3 and 4 states on instructions that the said plaintiffs seek to withdraw the present suit with liberty to file a fresh suit on the same cause of action.
2. Learned counsel for plaintiff no. 1 states that he as well has instructions to withdraw the present suit with liberty to initiate fresh proceedings on the same cause of action.
3. Learned counsel for defendant nos. 1 to 4 who are a caveator states that he has no objection to the said withdrawal. He however states that he reserves his right to oppose the suit as and when filed on the merits as well as on the issue of maintainability.



4. In view of the aforesaid submissions of the parties, the present suit is dismissed as withdrawn reserving liberty to the plaintiffs to avail their remedies in an appropriate forum, on the same cause of action and in accordance with law.
5. All the rights and contentions of the parties are left open.

MANMEET PRITAM SINGH ARORA, J
NOVEMBER 26, 2024/mt/AKT

Click here to check corrigendum, if any