



\$~6

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(COMM) 634/2022 & I.As. 15044-15045/2022, 13082/2023
BLUESTAR INFOTECH PVT. LTD. & ANR. Plaintiffs
Through: Mr. Arvind Shah, Advocate.

versus

MOHD. RAFEEQUE & ORS. Defendants
Through: Ms. Manisha Parmar, Advocate for
D-1.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
29.01.2024

%

1. After some hearing, learned counsel for the plaintiffs, seeks permission to withdraw the suit with liberty to file afresh after compliance with Section 12 A of the Commercial Courts Act, 2015.
2. The suit, alongwith all pending applications, is dismissed as withdrawn with liberty as aforesaid.
3. In view of the fact that the present suit was apparently filed on 04.10.2021 prior to the judgments of the Supreme Court in *Patil Automation Pvt. Ltd. & Ors. vs. Rakheja Engineers Pvt. Ltd.* (2022) 10 SCC 1] and *Yamini Manohar vs. T K D Keerthi* 2023 SCC OnLine SC 1382, the Registry is directed to refund the Court Fees paid by the plaintiffs in the facts and circumstances of this case.

PRATEEK JALAN, J

JANUARY 29, 2024
'Bhupi'/'