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

+ **CS(COMM) 844/2022**

ERIS LIFESCIENCES LIMITED

.....Plaintiff

Through: Ms. Archana Sahadeva and Mr.
Siddharth Raj Choudhary, Advs.

versus

ALKEM LABORATORIES LIMITED & ORS.Defendants

Through: Ms. Srijan Uppal, Mr. Abhishek Bhati
and Ms. Natasha K., Advs.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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19.07.2024

I.A.33615/2024-Order XXIII, Rule 1, CPC

1. By virtue of the present application, plaintiff seeks withdrawal of the present suit in view of the settlement entered *inter se* the plaintiff and defendant no.1 as recorded in the co-existence agreement dated 03.06.2024.
2. For the reasons stated, especially in view of the co-existence agreement dated 03.06.2024, the present application is allowed.

CS(COMM) 844/2022 & I.A. 20549/2022-Stay

3. Learned counsel appearing for the plaintiff submits that since the matter has been withdrawn qua the defendant no.1, the defendant nos. 2 and 3 being the manufacturers of the defendant no.1, nothing survives against them.
4. Accordingly, he wishes to withdraw the present suit against the said defendant nos. 2 and 3 as well.



5. In view of above as well as the order passed in the I.A.33615/2024, the present suit alongwith the pending application is dismissed as withdrawn.

SAURABH BANERJEE, J

JULY 19, 2024/rr