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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(COMM) 798/2024 & I.A. 39555-58/2024**

**FAMILY HEALTH CARE HOSPITAL PVT. LTD** .....Plaintiff  
Through: **Mr. Siddharth Arora and Mr. Ankit Verma, Advocates**

versus

**M/S. SHREE NATH DRUGS & ORS.** .....Defendants  
Through: **None**

**CORAM:**

**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

% **09.10.2024**

1. Learned counsel for the plaintiff states that he has instruction to state that the plaintiff seeks liberty to pray for withdrawal of the plaint to file a suit before the Court of appropriate Jurisdiction in Uttar Pradesh in accordance with law due to clause 15 of the Memorandum of Understanding dated 15.01.2020 signed between the plaintiff and defendant no.1 herein.
2. Accordingly, the suit is dismissed as withdrawn with liberty reserved as prayed for.
3. Pending application stands disposed of.
4. In view of the aforesaid withdrawal I.A. No. 39558/2024 is also stands disposed of.
5. Learned counsel for the plaintiff states that since this is the second date of hearing the Court fee deposited with the suit be refunded to the plaintiff. The Registry is directed to refund 90% of the Court fee affixed with the plaint, in accordance with the Rules.

**MANMEET PRITAM SINGH ARORA, J**

**OCTOBER 9, 2024/rhc/ms**