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

+ **CS(COMM) 259/2022**

ARCEE TRADING CORPORATION

.....Plaintiff

Through: **Mr. Sanjeev Panda, Advocate.**

versus

DEV LANDCON PVT. LTD. & ANR.

.....Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

24.01.2025

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I.A. 1938/2025 (Application under Order XXIII Rule 1 of CPC for withdrawal of suit)

1. This application under Order XXIII Rule 1 read with Section 151 of Code of Civil Procedure, for withdrawal of the suit by the plaintiff with liberty to file fresh suit, at the Court of competent jurisdiction at Ghaziabad, considering, as per the plaintiff, the works in question have been executed in the jurisdiction of the Ghaziabad Court.
2. Accordingly, present application is allowed.
3. Suit is dismissed as withdrawn. Liberty is granted to file the suit before the court of competent jurisdiction.
4. The date before Joint Registrar (Judicial) stands cancelled.
5. Order be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 24, 2025/ak/kp