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

I.A. 24254/2025

IN

+ CS(OS) 942/2024

SH BALBIR SINGH MAAN (THROUGH NEXT FRIENDS)

& ORS.

.....Plaintiffs

Through: Mr. Arjun Singh Bawa, Mr. Sahil Gupta, Mr. Siddhartha, Advocates.

versus

MS RITA DABAS & ORS.

.....Defendants

Through: Mr. Samman Vardhan Gautam, Ms. Khushi Sharma, Mr. Priyam Tiwari and Ms. Anshika Priyadarshini, Advocates for D-1 to 3.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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25.09.2025

I.A. 24254/2025 (u/O-XXIII R-1 CPC)

1. The present application has been filed on behalf of next friends of the plaintiff/ applicants under Order XXIII Rule 1 of the Code of Civil Procedure, 1908 (CPC) seeking to withdraw the present suit with liberty to file a fresh suit.
2. The plaintiff had filed the present suit through his next friends, i.e., Mr. Pawan Maan and Mr. Deepak Maan, being the sons of the plaintiff, late Mr. Balbir Singh Maan.
3. The fact that the suit was filed by next friends of the plaintiff, late Mr.



Balbir Singh Maan, is disputed by the counsel for the defendants.

4. It is stated that original plaintiff, Mr. Balbir Singh Maan, has expired on 4th September, 2025.

5. In view of the aforesaid, the applicants seek to withdraw the present suit with liberty to file a fresh suit in their individual capacities.

6. I see no impediment in the same.

7. Accordingly, the present suit is dismissed as withdrawn.

8. Needless to state, the defendants shall have right to place reliance on the orders that have been passed in the present suit.

9. The next date of hearing fixed before the Court on 13th October, 2025, stands cancelled.

AMIT BANSAL, J

SEPTEMBER 25, 2025

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