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

+ **CS(OS) 46/2019 & I.A. 23169/2023**

UNION OF INDIA

.....Plaintiff

Through: Mr. Sanjay Jain, Sr. Advocate with
Mr. Piyush Joshi, Ms. Sumiti Yadava,
Ms. Vatsala Bhatia, Mr. Samar
Pratap, Ms. Harshita Sukhija, Advs..

versus

KHAITAN HOLDINGS (MAURITIUS) LIMITED & ORS.

.....Defendants

Through: Ms. Madhavi Agrawal, Advocate for
D-1

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

06.02.2026

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I.A. 3308/2026

1. This is an application on behalf of the Plaintiff/Union of India under Order XXIII Rule 1(4) of the CPC, praying for withdrawal of the present Suit.
2. The present Suit is one for declaration and permanent injunction.
3. It is stated that Defendant No.1 had instituted arbitration proceedings against the Plaintiff under the agreement between the Government of India and the Government of Mauritius for promotion and protection of investment, also referred to as a Bilateral Investment Treaty [“**BIT**”], while the Plaintiff had sought declaration and permanent injunction to prevent



abuse of the BIT.

4. It is stated that an Arbitral Award has been passed on 19.09.2025, thereby concluding the arbitration proceedings.

5. In this view of the matter, the Plaintiff/Union of India seeks permission to withdraw the present Suit, with liberty to take such other steps and/or initiate such other proceedings as available to it in accordance with law.

6. Permission and liberty, as prayed for, is granted.

7. The Suit is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

FEBRUARY 06, 2026

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