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

+ **CS(OS) 63/2026, I.A. 9065/2026 & I.A. 9066/2026**

VIKAS DAGAR

.....Plaintiff

Through Mr. Sanket Khandelwal, Ms. Vyomica Paul and Mr. Mohit Verma, Advs. (Through VC)

versus

VIKAS TOKAS

.....Defendant

Through: Mr. Hardik Vashisht, Mr. Moksh Arora and Ms. Shreya Chaudhary, Advocates
Mr. Pragyan Pradeep Sharma, Sr. Advocate with Mr. Akhil Ranganathan, Mr. Hardik Jain and Mr. Rachit Sharma, Advocates for proposed defendant-Mr. Jagram Maan.

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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06.04.2026

I.A. 9065/2026 & I.A. 9066/2026

1. The present applications have been filed on behalf of the plaintiff, seeking withdrawal of the present suit and for condonation of delay of 35 days in re-filing the said application, for withdrawal, respectively.
2. Learned counsel appearing for the plaintiff submits that the plaintiff wishes to institute a fresh suit on the same cause of action, before the District Court.



3. The delay in re-filing the present application for withdrawal of the suit is condoned.
4. At this stage, learned Senior Counsel appearing for the applicant, namely, Mr. Jagram Maan, in *I.A. 7617/2026*, who is one of the purchasers of a parcel of the agricultural land, which is subject matter of the present suit, submits that the plaintiff ought not to be allowed to improve his case in any manner, or add any additional grounds in the fresh suit proposed to be filed.
5. Learned counsel appearing for the defendant also joins in the said submission and submits that the fact of sale of the land in question was already in the knowledge of the plaintiff, as the defendant had filed a suit before the Trial Court, prior to filing of this suit. Further, the sale deeds with respect to land in question have also been placed on record by the plaintiff, along with the present suit.
6. Accordingly, considering the submissions made before this Court, the plaintiff is granted liberty to withdraw the present suit and file the same before the District Court having jurisdiction, on the same grounds, without changing the real character of the present suit.
7. Needless to state, this Court has not expressed any opinion, as regards the ingress and egress of the applicant in the land in question in *I.A. 7617/2026*.
8. It is also clarified that withdrawal of the present suit or filing of a fresh suit by the plaintiff on the same cause of action, will not, in any manner, bar the ingress or egress of the applicant in *I.A. 7617/2026*, as well as of the defendant herein.
9. Accordingly, the present suit, along with pending applications, is



dismissed as withdrawn.

10. The next dates of 17th April, 2026, 11th May, 2026 and 14th May, 2026, are accordingly cancelled.

MINI PUSHKARNA, J

APRIL 6, 2026/SK