

Civ DJ 602/26

Parveen Kumar Nagpal vs. Ajay Aggarwal

01.07.2026

Fresh suit received by way of assignment. It be checked and registered.

Present: Plaintiff with Ld. counsel Sh. Rahul Manik.

Plaintiff has moved application under Order XXIII Rule 1 (3) CPC seeking permission to withdraw the present suit with liberty to file suit afresh in accordance with law. Separate statement of plaintiff is recorded to this effect.

In view of the fact that no prejudice shall be caused to the defendant as the suit has been recently instituted and even summons have not been issued to defendant, present application is allowed and the same is disposed of accordingly.

In view of the fact that application filed by plaintiff under Order XXIII Rule 1(3) CPC for withdrawal of suit has been allowed, the present suit is also disposed of as having been withdrawn with liberty to file afresh suit in accordance with law, subject to law of limitation. Since the suit is at the initial stage and in fact the summons to defendant has not been issued, the court fees be returned to the plaintiff. Ahlmad is directed to issue certificate for refund of court fees.

File be consigned to Record Room.

(Sunil Choudhary)
District Judge-01(West), THC
Delhi/01.07.2026