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

+ **FAO(OS) 302/2015 and CM No. 10771/2015**

M/S CAFE BUDDY'S FOODS PVT LTD Appellant

Through: **Mr Sudhir Nandrajog, Sr Advocate with
Ms Swati Verma**

versus

DELHI METRO RAIL CORPORATION LIMITED Respondent

Through: **Mr R.V. Sinha and Mr A.S. Singh with
Mr Puneet Garg, Law Officer, DMRC**

CORAM:

HON'BLE MR. JUSTICE BADAR DURREZ AHMED

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **06.10.2015**

We have heard the learned counsel for the parties. We are not inclined to interfere with the impugned order, particularly, in view of the statement made in paragraph 4 to the effect that the contractual period had expired.

Mr Nandrajog, the learned senior counsel appearing on behalf of the appellant, submitted that in this eventuality the appellant be given some time to remove the kiosks and other equipments and infrastructure which had been set up by the appellant. Mr Sinha has also taken instructions that in similar circumstances parties have been granted two months time to remove their equipments. Consequently, while dismissing the appeal we direct that the appellant shall remove the equipments on or before 15.12.2015. The appellant shall, however, continue to pay the license fee and other dues till such time. This order is without prejudice to the rights and contentions of the parties before the arbitration proceedings which are going on before the Sole Arbitrator.

BADAR DURREZ AHMED, J

SANJEEV SACHDEVA, J

OCTOBER 06, 2015

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