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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 2853/2016

ANAND PRAKASH AGARWAL Petitioner

Through: Mr. Rajat Agarwal, Adv.

versus

COMPETITION COMMISSION OF INDIA AND ORS

..... Respondents

Through: Mr. S.K. Pandey, Adv. for R-1

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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06.04.2016

The present writ petition has been filed challenging the order dated 10th February, 2016 whereby respondent No.1 closed the proceedings under Section 26(2) of the Competition Act, 2002 (for short 'the Act') initiated by the petitioner against respondents No.2 to 4 as the Commission was of the view that no case of contravention of Section 4 of the Act was made out against respondents No.2 to 4.

At the outset, learned counsel for the respondent-Commission states that the impugned order under Section 26(2) of the Act is an appealable order under Section 53A of the said Act.

This Court finds merit in the preliminary objection raised by learned counsel for the respondent-Commission.

Consequently, the present writ petition is dismissed with liberty to the petitioner to file an appeal against the impugned order.

Needless to say, the appeal shall be decided on its own merits without being influenced by any observations made by this Court. Rights and contentions of all parties are left open.

MANMOHAN, J

APRIL 06, 2016
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