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

+ **FAO(OS) (COMM) 104/2016 & CM 40770-71/2016**

**M/S STELLAR INFORMATION TECHNOLOGY PRIVATE LTD**

..... Appellant

Through Mr Gagan Mathur, Adv. with Mr Varun  
Kumar, Adv.

versus

**RAKESH KUMAR & ORS**

..... Respondents

Through None.

**CORAM:**

**HON'BLE MR. JUSTICE BADAR DURREZ AHMED**

**HON'BLE MR. JUSTICE ASHUTOSH KUMAR**

**ORDER**

% **11.11.2016**

We have heard the learned counsel for the appellant at length. We are in agreement with the decision taken by the learned single Judge particularly in view of the fact that he has followed the decisions of this Court specifically in **Wipro Limited vs. Beckman Coulter International SA: 131 (2006) DLT 681**]. In any event, the impugned order is only an order passed in the Order XXXIX Rules 1 & 2 application and obviously these are based on a prime facie view. The appellant would have full opportunity of making out its case in the suit.

The appeal is dismissed.

**BADAR DURREZ AHMED, J**

**ASHUTOSH KUMAR, J**

**NOVEMBER 11, 2016/ab**