

\$~A-28

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

+ CM(M) 167/2017

DELHI FINANCE CORPORATION Petitioner

Through Mr.Sanjay Poddar, Senior Advocate
with Ms. Saahila Lamba, Mr.Govind Kumar and
Mr.Sachin Gupta, Advocates

versus

M/S POLY CRAFTS Respondent

Through Mr.C.S.Gupta, Advocate

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
13.02.2017

%

CM No.5554/2017

Exemption allowed, subject to all just exceptions.

CM(M) 167/2017 & CM No.5553/2017 (stay)

Learned senior counsel appearing for the petitioner points out that the impugned order has been passed by the appellate court without assigning any reasons whatsoever. He further submits that in view of Section 25 of the State Financial Corporation Act, 1951, a suit would not lie. Reliance is placed on *Saraf Steel Pvt. Ltd. vs. Delhi Financial Corporation, 1995 (3) AD (Delhi) 852*.

Learned counsel for the respondent has entered appearance.

As the injunction application is still pending before the appellate court, it is in the interest of justice that the appellate court may be directed to

expeditiously dispose of the stay application.

Parties to appear before the appellate court on 1.3.2017. The appellate court is requested to dispose of the injunction application filed by the respondent within one month thereafter.

Petition stands disposed of. All pending applications, if any, also stand disposed of accordingly. This order is passed without prejudice to the rights and contention of the parties.

Dasti.

JAYANT NATH, J

FEBRUARY 13, 2017

n