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

+ **FAO(OS) (COMM) 60/2017 and C.M. No. 9661/2017 (stay)**

MACLEODS PHARMACEUTICALS LTD Appellant
Through: Ms. Rajeshwari H., Advocate

versus

INTAS PHARMACEUTICALS LIMITED Respondent
Through: Mr. Chander M. Lall, Senior Advocate
with Mr. Karan Mitra, Ms. Niyati Kohli,
Mr. Nancy Roy and Ms. Gunika Gupta,
Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE A.K. CHAWLA

ORDER

% **18.08.2017**

1. Ms. Rajeshwari, counsel for the appellant states that the appellant has filed an affidavit in terms of order dated 12.5.2017, wherein it has been stated that the unsold inventory as detailed in the affidavit 05.5.2017, has been exhausted by now.
2. Both the parties state in unison that instead of keeping the present appeal pending, as the suit is at an advance stage of framing of issues, the learned Single Judge be requested to expedite the trial in the case.
3. We are informed that the next date of hearing in the suit is 04.9.2017 on which date, issues are to be framed. Both the parties undertake that they shall come prepared with the issues on the date fixed and they shall also file the list of witnesses by the said date.

4. The parties are agreeable that to expedite recording of evidence, they will jointly make a request to the learned Single Judge for appointing a Local Commissioner to record the evidence, preferably on a day to day basis.
5. In view of the aforesaid submission, the present appeal is disposed of with liberty granted to the parties to request the learned Single Judge to expedite the suit proceedings by appointing a Local Commissioner to record the evidence. Learned counsels undertake that they shall not seek any unnecessary adjournment in the matter so that the decision in the suit can be expedited.
6. The appeal is disposed of alongwith pending application.

HIMA KOHLI, J

A.K. CHAWLA, J

AUGUST 18, 2017
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