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

+ **FAO 323/2016 and C.M. No.9895/2017 (stay)**

M/S BRIMSON CABLES PVT LTD

..... Appellant

Through: Mr. A.K. Singla, Senior Advocate
with Mr. Rahul Shukla, Advocate and
Ms. Manorma Masih, Advocate.

versus

UTTAR PRADESH FINANCIAL CORPORATION

..... Respondent

Through: Mr. Sonal Kumar Singh, Advocate
with Mr. Vikas Tomar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **24.08.2017**

1. After arguments, this appeal is disposed of as not pressed but the appellant is given liberty, of course in accordance with law, to file appropriate independent proceedings in the competent court in Uttar Pradesh. Liberty is also given to the appellant/plaintiff to take the present plaint filed in the subject suit for presentation in the competent court in Uttar Pradesh or file a fresh suit if there is a fresh cause of action. Of course this Court makes no comments one way or the other on the merits of the suit or the maintainability of the suit and all aspects of the suit and the defences of the respondent will be examined in accordance with law in the proceedings which are now proposed to be initiated by the appellant against the

respondent.

2. Appeal is accordingly disposed of in terms of aforesaid observations.

VALMIKI J. MEHTA, J

AUGUST 24, 2017

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