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

+ **FAO(OS) 360/2016 & CM Nos.46143-46144/2016**

**WORLD BOOK COMPANY (P) LTD** ..... Appellant

Through: Mr Tapan Choudhary, Adv.

versus

**WORLD BOOK INC & ORS** ..... Respondents

Through: Mr Manik Dogra with Mr Anshuman  
Sharma, Advs.

**CORAM:**

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

**HON'BLE MR JUSTICE JAYANT NATH**

**ORDER**

% **30.01.2017**

This appeal has been filed against the order dated 19.09.2016 passed in IA No.15270/2014 which is an application under Order XXXIX Rule 2A CPC filed by the respondents/plaintiffs. The said application was filed in respect of alleged non compliance of the interim order granted on 27.05.2013, which was confirmed by the learned single Judge on 15.10.2014 and affirmed by the Division Bench on 12.05.2016 in FAO (OS) 15/2015.

The application under Order XXXIX Rule 2A CPC is yet pending before the learned single Judge and he has merely given certain directions in order to ensure compliance with the earlier order. The learned counsel for the appellant seeks to argue the matter on merits which has already been considered by the learned single Judge as also by the Division Bench. That cannot be permitted in a proceeding under Order 39 Rule 2A CPC, particularly, when the said application is also pending before the learned single Judge. The appeal is dismissed.

**BADAR DURREZ AHMED, J**

**JAYANT NATH, J**

**JANUARY 30, 2017/ns**