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

+ **FAO 300/2017**

M/S AASHIANA ROLLING MILLS LTD Appellant

Through: Mr. Rajshekhar Rao, Advocate with
Mr. Kapil Wadhwa, Ms. Kruttika
Vijay, & Ms. Devyani Nath, Advs.

versus

M/S KAMDHENU LTD Respondent

Through: Mr. Akhil Sibal Senior Advocate with
Mr. S.K. Bansal, Mr. Ajay Amitabh
Suman, Mr. Kapil Kumar Giri and
Mr. Vinay Kumar Shukal, Advocates

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

% **26.07.2017**

FAO 300/2017 and CAV 646/2017 and CM APPL.25040-25042/2017

After some hearing, the learned counsel for the appellant submits, on instructions that he may be allowed to withdraw the appeal though with liberty to press before the learned trial court for early hearing on the pending application for transfer of the suit to this court.

The learned counsel for the respondents submits that he has no objection to a specific direction being given to the trial court for an early decision on the application for transfer which is pending as referred to above.

In these circumstances, the appeal is dismissed as withdrawn along with pending applications.

The trial court shall take up the application seeking transfer of the suit to this court, as moved by the appellant herein, on 28th July, 2017. The parties shall appear accordingly before the trial court on the said date. In the event of the trial court deciding to accept the request for transfer, it shall fix an early date, preferably within a week of such order, for the parties to assemble before the transferee court, in as much as, *an ad interim* injunction granted *ex parte* is operating against the appellant herein.

With these directions, these proceedings are closed.

Copy of the order be given *Dasti* to both sides under the signature of Court Master.

R.K.GAUBA, J.

JULY 26, 2017

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