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

+ **W.P.(C) 12028/2016 & CM 47449/2016**

GATI INFRASTRUCTURE PRIVATE LIMITED Petitioner

Through: Mr. Gopal Jain, Senior Advocate with
Mr. Rahul Malhotra, Mr. Varun Garg and
Mr. Mohit Raj, Advocates

versus

RESERVE BANK OF INDIA & ANR Respondents

Through: Mr. K.S. Parihar, Advocate for R-1.
Mr. Sandeep Sethi, Senior Advocate with
Mr. Ashish Muklin, Mr. Dhruv Malik and
Mr. Sandeep Mahapatra, Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

02.01.2017

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1. On the last date of hearing, as none was present on behalf of respondent No.2/IDFC Bank Limited, learned counsel for the petitioner was directed to give a written intimation of the next date of hearing to the other side. Pursuant to the aforesaid order, Mr. Sandeep Sethi, Senior Advocate with Mr. Ashish Muklin, Advocate is present for the respondent No.2.
2. After addressing arguments for some time on the maintainability of the petition, Mr. Jain, learned Senior Advocate appearing for the petitioner on instructions, seeks leave to withdraw the present petition, while reserving the right of the petitioner to seek amendment of the plaint in CS(COMM) No.1640/2016, a suit instituted by it against the respondent No.2 herein and

another entity, which is stated to be pending before the learned Single Judge on the original side of this Court. He however requests that the respondent No.2 be directed not to take any steps to change the promoters/management of the petitioner company till 6.1.2017, to enable the petitioner to file an amendment application in the suit and for seeking appropriate interim relief.

3. Mr. Sethi, learned Senior Advocate appearing on behalf of the respondent No.2 assures the Court that no steps to change the promoters/management of the petitioner company shall be taken by respondent No.2 till 6.1.2017.

4. Leave, as prayed for, is granted. The writ petition is disposed of as withdrawn, along with the pending application. Respondent No.2 shall remain bound by its undertaking as recorded above, till 6.1.2017.

JANUARY 02, 2017

sk/ap

HIMA KOHLI, J