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

+ CM(M) 980/2017 & CM Nos. 32681-83/2017

METAL BOX INDIA LTD & ANR Petitioner

Through: Mr. Jugal Wadhwa & Mr. Vidit
Gupta, Advs.

versus

T K SEHGAL & SONS (HUF) & ORS Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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07.09.2017

After some hearing, the learned counsel for the petitioner submits, on instructions, that the petitioner agrees and undertakes to abide by the directions of the Additional District Judge for adducing evidence in the ongoing trial of suit no. 18552/2016, *inter alia*, in terms of impugned order dated 24.08.2017 and, therefore, seeks to withdraw the petition, his limited request, however, being that he may be given liberty to bring it to the notice of the Additional District Judge at the appropriate stage *i.e.* when the case reaches the stage of final adjudication, to make a prayer for appropriate consideration by the trial court in light of the decision expected to be taken by another bench of this court on the review petition No. 305/2016 in RFA 97/2012, order whereupon has statedly been reserved yesterday.

The petition with accompanying applications are dismissed as withdrawn with liberty granted, as prayed.

It is made clear that it shall be obligation of the petitioner to fully cooperate with the trial court in recording of the evidence of the defendants for which the matter is already listed before the said court on 08.09.2017.

R.K.GAUBA, J

SEPTEMBER 07, 2017

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