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

+ **FAO 486/2017**

M/S VOIR INDIA ELECTRONICS PRIVATE LIMITED

..... Appellant

Through : Mr.Dushyant K.Mahant, Advocate with
Ms.Shivani G.Mahant, Advocate.

versus

SH PRAMOD KUMAR SINGH

..... Respondent

Through : None.

CORAM:

HON'BLE MR. JUSTICE S.P.GARG

ORDER

% **15.12.2017**

CM 45436/2017 (Exemption)

1. Exemption allowed subject to all just exceptions.
2. The application stands disposed of.

FAO 486/2017

1. Present appeal has been preferred by the appellant M/s. Voir India Electronics Pvt. Ltd. to challenge the legality and correctness of an order dated 24.11.2017 whereby execution of the arbitral award was stayed till the next date of hearing.
2. During the course of arguments, it revealed that the matter is listed before the Trial Court for 08.03.2018. Order dated 24.11.2017 reveals that process was issued for appearance of the appellant (respondent No.1 there). However, it could not be executed and was received back with the report "left".

3. Apparently, instead of putting appearance before the Trial Court to contest the suit, the appellant has preferred to file the instant appeal to challenge the legality of order dated 24.11.2017.
4. The appellant agreed to put appearance before the Trial Court, move an application for seeking relief regarding stay. Let it be done. On moving any such application, it shall be decided by the Trial Court after giving notice to the plaintiff on merits.
4. Accordingly, the appellant shall put appearance before the Trial Court on 10th January, 2018.
5. The appeal stands disposed of with the above observations.
6. Copy of the order be sent to the Court concerned.

S.P.GARG, J

DECEMBER 15, 2017 / tr