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

+ **FAO(OS) (COMM) 129/2018**

SURYA FOOD & AGRO LTD & ANR

..... Appellant

Through Mr. Anil Sapra, Sr. Advocate with
Mr. Sushant Singh, Mr. S. Katyal, Mr. Ankit
Kaushal and Mr. Tajinder Singh, Advocates.

versus

CADBURY U K LTD

..... Respondent

Through Mr. Chander M. Lall, Sr. Advocate
with Ms. Jyoti Deep Kaur, Mr. Karan Bajaj, Ms.
Kangan, Ms. Shreya Sethi, Mr. Anirudh Bhatia
and Mr. Dhruv Nayar, Advocates.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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02.07.2018

After some hearing, learned senior counsel appearing for the appellants, on instructions, seeks permission to withdraw the present appeal and move an application under Order XXIX Rule 4 of the Code of Civil Procedure, 1908 before the single Judge. He also submits that the appellants, without prejudice to their rights and contentions, to bring the litigation to an end would make certain suggestions with regard to colour of the wrapper etc. The said suggestions would be incorporated in the application for consideration of the respondent.

Counsel for the appellants states that they would request the

single Judge for early disposal of the application as substantial amount of money has been spent by the appellants on advertisement etc.

Without commenting on merits, we allow the appeal to be withdrawn with liberty as prayed for. We again clarify that withdrawal of appeal would not mean that the Court has expressed any opinion.

Dasti.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

JULY 02, 2018
NA