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

+ **FAO(OS) (COMM) 43/2016 & CM No.23562/2016**

LAVA INTERNATIONAL LIMITED Appellant
Through : **Mr. Ashok K. Aggarwal and**
Ms. Snigdha Sharma, Advs.

versus

TELEFONAKTIEBOLAGET
LM ERICSSON (PUBL) Respondent
Through : **Mr. C.S. Vaidyanathan, Sr.**
Advocate. with Mr. Ashutosh
Kumar, Mr. Adithya Jayaraj,
Mr. Prateek Seharawat and Mr.
Anirudh Gupta, Advs.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER
26.09.2018

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This appeal is directed against the order of the Ld. Single Judge who had ordered the defendant/appellant to deposit Rs.50 crores as interim licence fee. During the pendency of the present appeal, this court had reduced the amount to Rs.30 crores as an interim measure and at the same time clarified the Ld. Single Judge's observation permitting the plaintiff to move for further deposit in case final hearing was delayed on account of the defendant's conduct. The evidence of the parties in the deposition of the witnesses had been

concluded. It is submitted that the Ld. Single Judge has scheduled the hearing from 03.12.2018 onwards. In the light of these developments, the court is of the opinion that the interim order made on 22.07.2016 should be and is hereby made absolute. This is of course subject to the final outcome of the proceedings in the suit. The deposit made shall also await appropriation/disbursement, as the case may be, by the final judgment of the Ld. Single Judge and any consequential directions made in the course of CS(COMM)No.1148/2016.

All rights and contentions of the parties are reserved. This appeal is disposed of in the above terms. Pending application is also disposed of.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

SEPTEMBER 26, 2018

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