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

+ **FAO(OS) (COMM) 243/2018 & CM Nos.44436-37/2018**

HPM CHEMICALS & FERTILIZERS LTD Appellant
Through: Mr.Jeevan Prakash, Adv.

versus

UPL LTD Respondent
Through: Mr.C.M. Lall, Sr. Adv. with Ms.
Rajeshwari H., Ms.Nancy Roy and
Mr.Kumar Chitranshu, Adv.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **26.10.2018**

CM APPL. No. 44435/2018

Allowed, subject to all just exceptions.

FAO(OS) (COMM) 243/2018

Appearance is made on behalf of the respondent. Learned Senior Counsel for the respondent submits that he has appeared on noticing the matter in the advance list. He also submits that the caveat was served on the appellant, albeit copy of the appeal paper book has not been served.

After some hearing, learned counsel for the petitioner seeks permission to withdraw the present appeal and approach the Single Judge by way of an application under Order 39 Rule 4 of CPC raising all contentions and issues.

Taking the statement on record and in terms thereof we dispose of the present appeal without making any comments on merits.

SANJIV KHANNA, J.

ANUP JAIRAM BHAMBHANI, J.

OCTOBER 26, 2018
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