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

+ **FAO 545/2018**

KORES INDIA LTD

..... Appellant

Through: Mr. Utkarsh Tewari, Mr. Hemant Thadani &
Mr. Govind K. Chaturvedi, Advocates.

versus

DOMS INDUSTRIES PVT LTD

..... Respondent

Through: Mr. Chander M. Lall, Sr. Advocate with
Mr. Ajay Bhargava, Mr. Ankur Sangal,
Ms. Sucheta Roy & Ms. Richa Bhargava,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

ORDER

% **03.12.2018**

Caveat No.1114/2018

Since the learned counsel has put in appearance on behalf of the caveator, the caveat stands discharged.

C.M. No.50384/2018 (for exemption)

Allowed, subject to all just exceptions.

The application is disposed of.

F.A.O. No.545/2018 & C.M. No.50383/2018

1. Mr. Lall, learned senior counsel for the respondent submits that the matter is listed before the learned Additional District Judge, Patiala House Courts, New Delhi, on 04.12.2018.

2. After making certain submissions, learned counsel for the appellant/defendant seeks permission to withdraw the appeal with

liberty to move the trial court tomorrow with application under Order XXXIX Rule 4 CPC for vacation of the ex-parte injunction order.

3. The appeal is dismissed as withdrawn with such liberty as prayed for, with direction to the trial court to dispose of such application under Order XXXIX Rule 4 CPC, if filed by the appellant, within 30 days in accordance with law. Pending application being C.M. No.50383/2018 stands disposed of accordingly.

4. Copy of the order be given *dasti* under signatures of the Court Master.

VINOD GOEL, J.

DECEMBER 03, 2018

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