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

+ **FAO 49/2019**

CHENNAI GATE RICE INDUSTRIES (P) LTD Appellant

Through: Mr. Sacchin Puri, Sr. Advocate with
Ms. Shobha Ramamoorthy, Mr. Sriram J.
Thalapathy, Mr. Shilp Vinod, Mr. Pushkin
Rajkumar, Mr. Kamil Khan, Mr. Dhan
Singh & Mr. Garul Murugan, Advocates
with Mr. Dhananjay in person.

versus

KRBL LTD Respondent

Through: Mr. S.K. Bansal & Mr. Ajay Amitabh
Suman, Advocates.

CORAM:

HON'BLE MR. JUSTICE VINOD GOEL

O R D E R

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08.02.2019

C.M. Nos.6124/2019, 6125/2019 (for exemption)

Allowed, subject to all just exceptions.

The applications are disposed of.

F.A.O. No.49/2019 & C.M. No.6123/2019 (for stay)

1. Mr.S.K. Bansal, learned counsel has put in appearance on behalf of the respondent. A complete set of paperbook be supplied to the learned counsel for the respondent.

2. After making certain submissions, learned counsel for the appellant seeks permission to withdraw the appeal with liberty to move an application under Order XXXIX Rule 4 of Code of Civil

Procedure, 1908, ('CPC') with the trial court within a week.

3. The appeal is allowed to be dismissed as withdrawn along with application, being C.M. No.6123/2019, with liberty, as prayed for. In case, such an appliaiton is filed within a week, the said application as well as application of the respondent filed under Order XXXIX Rule 1 & 2 CPC shall be disposed of by the trial court within 30 days, after hearing both the parties in accordance with law.

4. *Dasti.*

VINOD GOEL, J.

FEBRUARY 08, 2019
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