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

+ **FAO(OS) (COMM) 175/2019**

RAVI WALIA & ANR

..... Appellants

Through: Mr. Chander Lall, Senior Advocate
with Mr. Rishi Agrawala, Ms. Niyati
Kohli, Mr. Kanav Vir Singh and Ms.
Megha Benjam, Advocates

versus

UFO MOVIEZ INDIA LTD & ANR

..... Respondents

Through: Mr. Sandeep Sethi, Senior Advocate
with Mr. Tejveer Bhatia, Mr. Upender
Thakur, Mr. Rohan Swarup and Mr.
Kunal Vats, Advocates for respondent
No.1
Mr. Shyam Murjani, Advocate for
respondent No.2

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE ASHA MENON

ORDER

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26.07.2019

CAV PET.748/2019

1. Appearance is entered on behalf of the caveator.
2. The caveat stands discharged.

FAO(OS) (COMM) 175/2019 & C.M.Applns.33395-97/2019

1. The appellants/plaintiffs are aggrieved by the common order dated 29.05.2019, passed by the learned Single Judge on the stay application (I.A. No.6522/2012) moved by them and on an application (I.A. No.7229/2019) moved by the respondent/defendant No.1 seeking vacation of the interim order dated 03.05.2019. Vide order dated 29.05.2019, the initial interim

order dated 03.05.2019, granted in favour of the appellants/plaintiffs has been partly modified.

2. A perusal of the impugned order dated 29.05.2019 reveals that both the captioned applications are still pending and are listed on 29.07.2019, for further arguments.

3. That being the position, we have enquired from Mr. Lall, learned Senior Advocate appearing for the appellants to address us as to how would the present appeal be maintainable when the order dated 29.05.2019 has yet to attain finality.

4. He fairly submits that instead of pressing the present appeal, leave may be granted to the appellants/plaintiffs to withdraw the same while reserving their right to take all the pleas as may be available to them, both in law and on facts, before the learned Single Judge at the time of arguments.

5. Leave as prayed for is granted. The appeal is dismissed as withdrawn alongwith the pending applications.

HIMA KOHLI, J

ASHA MENON, J

JULY 26, 2019

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