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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 373/2020 & CM APPLN. 16680-81/2020**

MS KYODO TECHNOLOGY PRIVATE LIMITED Petitioner

Through **Mr. Shashi Bhushan and Mr.
Ashutosh Dubey, Advocates**

versus

AMARJEET SINGH & ANR. Respondents

Through **Mr. Harpreet Singh, Sr. Standing
Counsel**

CORAM:
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% 28.07.2020

CM APPLN. 16680-81/2020 (Exemption)

Allowed, subject to all just exceptions.

CONT. CAS. (C) 373/2020

1. The hearing was conducted through video conferencing.
2. Issue notice. Notice is accepted by learned counsel appearing for the respondents. Learned counsel appearing for the respondents submits that the warehouse of the petitioner has now been de-sealed and the goods lying therein have been shifted.
3. Learned counsel for the petitioner confirms that the warehouse has been de-sealed and the goods have been removed. He further submits that order dated 29.06.2020 was not complied with within one week and the goods were only shifted on 25.07.2020 and 26.07.2020

because of which petitioner suffered further loss and the respondents are liable to pay the rent for the said period as well. He however, seeks leave to withdraw the petition reserving rights of the petitioner to seek appropriate remedy for payment of the rent for the period the warehouse was not de-sealed and vacated.

4. Learned counsel appearing for the respondents submits that the warehouse was not de-sealed and the goods could not be removed because despite several reminders, petitioner did not furnish the mandatory space certificate which was required prior to removal of the goods. He, however, submits that respondents reserve their rights to defend any proceedings initiated by the petitioner.

5. In view of the above, no further orders are called for in the petition. The petition is accordingly dismissed as withdrawn. However, all rights and contentions of the parties are reserved.

6. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email.

SANJEEV SACHDEVA, J

JULY 28, 2020

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