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

+ **CS(COMM) No. 330/2020 & I.A. No. 7015/2020**

ADANI WILMAR LIMITED

.....Plaintiff

Through: Mr. Dushyant K. Mahant, Advocate.

versus

J.K. OIL INDUSTRIES

.....Defendant

Through: Mr. Pankaj Kumar, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

07.09.2020

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[Court hearing convened *via* video-conferencing on account of COVID-19]

1. Pursuant to the last order i.e. order dated 25 August 2020, the affidavit 25 August 2020 filed on behalf of the defendant has been placed on record by the Registry.
2. Mr. Dushyant K. Mahant, who appears for the plaintiff, says that he has been served with a copy of the affidavit dated 25 August 2020 and that the same has been shared with the authorized representative of the plaintiff.
3. Counsel for the parties' say that the suit can, thus, be decreed in terms of order dated 20 August 2020 read with order dated 25 August 2020.
4. To be noted, the affidavit dated 25 August 2020, was filed in the backdrop of the orders dated 20 August 2020 and 25 August 2020.
- 4.1 Since the earlier affidavit filed on behalf of the defendant contained certain errors, which were noticed in the order dated 25 August 2020, a fresh affidavit had to be filed, which is, as noted above, now on record.

4.2 Accordingly, the suit is decreed in terms of the order dated 20 August 2020 read with order dated 25 August 2020.

4.3 The affidavit dated 25 August 2020 shall form part of the decree and will be marked as Exhibit 'X'.

5. Since the suit has been concluded at an early stage, I am inclined to order refund of 75% of the Court fee.

5.1 It is ordered accordingly.

5.2 The Registry will take requisite steps in that behalf.

6. The pending application shall, consequently, stand closed.

7. A decree will be drawn up in the aforementioned terms.

8. The case papers shall stand consigned to record.

RAJIV SHAKDHER, J.

SEPTEMBER 7, 2020
VKR/KK

Click here to check corrigendum, if any