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

+ **FAO(OS) (COMM) 99/2020**

SEAGULL MARITIME AGENCIES PRIVATE LIMITED

..... Appellant

Through Mr. Prashant Mehta, Ms. Neha Tanwar, Ms. Divita Vyas, Ms. Sonali and Mr. Shantanu Parashar, Advocates.

versus

JAGUAR OVERSEAS LIMITED

..... Respondent

Through Mr. Rajiv Nayyar, Sr. Advocate with Ms. Shyel Trehan, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **24.08.2020**

HEARD THROUGH VIDEO CONFERENCING

C.M. No.20226/2020 (exemption)

Subject to the appellant depositing the requisite court fee within two week, the application is allowed and disposed of.

FAO(OS) (COMM) 99/2020 & C.M. No.20227/2020 (stay)

1. The appellant is aggrieved by the order dated 6.8.2020, passed by the learned Single Judge in OMP (I) (COMM) 183/2020, a Section 9 petition filed by the respondent whereunder, directions have been issued to it to pay 50% of the demurrage charges payable to the Port Authorities as may be conveyed by the respondent. Further, it has

been directed that on delivery of the 53 containers that are presently stored at the Dar Es Salaam Port, a sum of Rs.4.21 crores shall be released by the respondent to the appellant.

2. Mr. Mehta, learned counsel for the appellant states at the outset that he has received instructions to withdraw the present appeal while reserving the right of the appellant to approach the learned Single Judge by moving an application for seeking review of the impugned order.

3. Leave as prayed for, is granted. The appeal is disposed of as not pressed. This court is refraining from making any observations on the grounds that may be available to the appellant for seeking review of the impugned order.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

AUGUST 24, 2020
NA