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

+ **FAO(OS) (COMM) 101/2020**

SHRI BALBIR SINGH Appellant
Through: Mr. Sanjeev Sindhwani, Senior Advocate
with Mr. Rajiv Kumar Garg and Mr. Ashish Garg,
Advocates.

versus

M/S GROVY INDIA LIMITED Respondent
Through: Mr. Aditya Wadhwa, Mr. Debopriyo
Moulik, Mr. Tejaswi Shetty and Ms. Vedika
Pareek, Advocates.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

% **25.08.2020**

HEARD THROUGH VIDEO CONFERENCING

FAO(OS) (COMM) 101/2020, C.M. No. 20305/2020 (Stay), C.M. No.20306/2020 (Exemption) and C.M. No. 20307/2020 (by the appellant for seeking permission to hear the matter through video conference)

1. The appellant/defendant is aggrieved by an order dated 04.8.2020, passed by the learned Single Judge, restraining him from transferring, alienating, encumbering or creating any third party right in respect of the suit property bearing No. F-6, Kailash Colony, New Delhi, from entering into any agreement for its sale or construction or development with any third party or from carrying out any other alteration in the suit property. With these directions, the stay application moved by the respondent/plaintiff has been adjourned to 25.9.2020, for hearing.

2. After addressing arguments for some time, Mr. Sindhwani, learned Senior Advocate appearing for the appellant/defendant states on instructions that he may be permitted to withdraw the present appeal while reserving the right of the appellant/defendant to take all pleas as may be available to him, both in law and on facts in the reply proposed to be filed to the interim application on which the impugned order has been passed (I.A. No. 6433/2020) and proceed to address arguments on the date fixed before the learned Single Judge i.e., on 25.9.2020.

3. Leave, as prayed for, is granted. The appeal is dismissed as withdrawn along with the pending applications.

4. To assuage the apprehension expressed on behalf of the appellant/defendant that the respondent/plaintiff will delay the hearing, it is directed that the parties shall not seek any adjournment before the learned Single Judge on the date of hearing fixed.

HIMA KOHLI, J

SUBRAMONIUM PRASAD, J

AUGUST 25, 2020

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