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

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Date of Decision: 22.02.2024

+ **FAO(OS) (COMM) 30/2024, CAV 86/2024 & CM Nos.11020-22/2024**

SHASHVAT NAKRANI

..... Appellant

Through: Mr Mukul Rohatgi, Sr Adv. with Mr
Ankit Jain, Ms Neha Jain and Mr
Keshav Sehgal, Advs.

versus

ASHNEER GROVER

..... Respondent

Through: Mr Giriraj Subramaniam, Mr
Simarpal Singh Sawhney, Mr Joy
Banerjee, Mr Ravi Pathak, Mr
Akhilesh Talluri, Ms Veda Singh, Mr
Siddhant Juyal, Ms Urvashi Singh
and Mr Tarun Juyal, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE AMIT BANSAL

[Physical Hearing/Hybrid Hearing (as per request)]

RAJIV SHAKDHER, J. (ORAL):

CAV 86/2024

1. Since learned counsel for the respondent/caveator has entered appearance, the caveat is discharged.

CM No.11022/2024

2. Allowed, subject to just exceptions.



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3. This appeal is directed against the judgment dated 15.12.2023 passed by the learned Single Judge.
4. Notably, after we had heard learned counsel for the parties for quite some time, they arrived at a consensus which was that the appeal could be disposed of with directions to fast track the trial, given the fact that the pleadings stand filed and the issue involved falls in a narrow compass.
5. We are told that the matter is fixed before the learned Single Judge on 28.02.2024.
6. Accordingly, the following agreed directions are issued:
 - (i) The learned Single Judge is requested to frame issues in the matter on the next date of hearing, i.e., 28.02.2024.
 - (ii) Ms R. Kiran Nath, Former District Judge, (Ph. No. 9910384659) is appointed as a Court Commissioner to record evidence in the matter. The Court Commissioner will endeavour to complete the recordal of evidence within the next eight (8) weeks.
 - (iii) The disputants will file their respective affidavits of evidence within one week of the issues being framed.
 - (iv) Once evidence is recorded, the learned Single Judge will endeavour to hear final arguments in the matter at the earliest.
 - (v) The learned Court Commissioner will be paid a compensation fee of Rs 3 Lakhs. In addition thereto, secretarial costs and out of pocket expenses will be reimbursed to the learned Court Commissioner. The burden of fees and costs shall be borne in equal measure by the disputants.
7. Since we have not examined the matter on merits, the question(s) of law raised in the appeal are kept open.



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8. The appeal is disposed of, in the aforesaid terms.
9. Consequently, the pending applications shall stand closed.
10. Parties will act based on the digitally signed copy of the order.

RAJIV SHAKDHER, J

AMIT BANSAL, J

FEBRUARY 22, 2024/aj

Signature Not Verified

Signed By: PREM MOHAN
CHOUDHARY

Signing Date: 23/02/2024
12:17:39

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