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

+ **CM(M) 2139/2024**

JALALUDDIN

..... Petitioner

Through: Mr. Abhay Mani Tripathi, Ms. Anjali
Chand & Ms. Shivangi Pandey, Advs.

versus

LEVI STRAUSS AND COMPANY

..... Respondent

Through: Ms. Aastha Sharma, Adv.

CORAM:

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

18.03.2024

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CM APPL. 16639/2024—Exp.

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CM(M) 2139/2024, CM APPL. 16640/2024--stay

3. Present petition has been filed under Article 227 of the Constitution of India read with Section 115 of the Code of Civil Procedure (hereinafter referred to as “CPC”) in CS (Comm.) No.2579/2022, titled as “*Levis Strauss vs. Jalaludin*” passed by learned District Judge (Commercial Court)-12, Central District, Tis Hazari Courts, Delhi (hereinafter referred to as “Trial Court”) impugning orders dated 25.10.2023 and 12.03.2024 whereby petitioner’s right to file written statement stood forfeited and his right to file reply to the application under Order XIII A of the Commercial Courts Act, 2015 (hereinafter referred to as “Act”) was closed respectively. Petitioner herein is the defendant before the learned Trial Court.



4. Ms. Aastha Sharma, learned counsel for the respondent appears on advance notice and submits that vide order dated 12.03.2024, matter is directed to be listed before the learned Trial Court on 19.03.2024 for passing order on the application under Order 13-A of the Commercial Courts Act, 2015 filed by the respondent herein.
5. At this stage, learned counsel for the petitioner submits that he is willing to settle the disputes with the respondent upon which respondent has no objection to.
6. In these circumstances, the learned counsel for petitioner submits that he wishes to withdraw the present petition with liberty to approach the mediation centre of Tis Hazari Courts by today itself in the post lunch session and undertakes to inform the learned Trial Court about the order of this Court immediately.
7. Permission and liberty as prayed for is granted.
8. In view of the submissions made above, petition as well as pending application stands disposed of.
9. Parties are at liberty to approach the mediation centre of Tis Hazari Courts for making sincere efforts for settlement, by today itself after post lunch session and petitioner shall inform the learned Trial Court about the order of this Court. It is made clear, in case no settlement is arrived at between the parties within four weeks from today, the parties shall approach the learned Trial Court for further order.
10. Order *dasti* under signatures of the Court Master, as requested.

SHALINDER KAUR, J

MARCH 18, 2024/ab