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

+ **FAO(OS) (COMM) 2/2024 & C.M.Nos.1120-1122/2024**

COSMOS INFRABUILD PVT. LTD Appellant

Through: Mr.Pritish Sabharwal with
Ms.Aarushi Chawla, Advocates.

versus

KALYAN JEWELLERS INDIA LTD Respondent

Through: Mr.Arjun Garg with Mr.Aakash
Nandolia, Advocates.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **08.01.2024**

1. Present appeal has been filed under Section 13 of the Commercial Courts Act, 2015 read with Order XLIII Rule 1(R) of the Civil Procedure Code, 1908 ('CPC') against the order dated 15th September, 2023 passed by the learned Single Judge of this Court in CS(COMM) No. 645/2023 titled as '*Kalyan Jewellers India Ltd. Vs. Cosmos Infrabuild Pvt. Ltd.*' whereby the learned Single Judge has granted interim relief to the respondent from being evicted from the suit premises by the appellant. Further relief has been granted to the respondent by preventing the appellant from disconnecting the water and electricity connection at the suit premises.

2. Since the returnable date in the applications filed by the appellant under Sections XXXIX Rule 4 as well as XXXIX Rules 1 & 2 CPC before the learned Single Judge is 12th January, 2024, this Court disposes of the present appeal with a request to the learned Single Judge to decide the



matter as expeditiously as possible preferably within three weeks from the next date of hearing.

3. With the aforesaid directions, present appeal along with the applications stands disposed of.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

JANUARY 8, 2024
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