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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3436/2024 & CM APPL. 55312/2024 & CM APPL. 55313/2024**

ASHMA GOGIA AND ANRPetitioners

Through: Mr. Akshay Bhatia, Advocate.

versus

AKSHAY SETHI AND ANRRespondents

Through: Mr. Rajender Yadav, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

20.09.2024

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1. Petitioners are plaintiffs before the learned Trial Court and have filed a civil suit seeking permanent injunction.
2. Initially, the plaintiffs were having an order of status quo in their favour but thereafter, such status quo order was not mentioned in the subsequent orders.
3. It is submitted that when plaintiff No.1 made a request in this regard, the learned Trial Court, without giving any reason, held that it was not inclined to grant prayer to continue with such interim relief.
4. It is apprised that the next date of hearing before the learned Trial Court is 23.09.2024 and also that their substantive application under Order XXXIX Rule 1 and 2 CPC is still pending adjudication.
5. Learned counsel for the respondents/defendants appears on advance notice.



6. After hearing arguments for some time, learned counsel for the petitioners, without prejudice to his rights and contentions, seeks to withdraw the present petition but prays that the learned Trial Court may be requested to take up the aforesaid application moved under Order XXXIX Rule 1 and 2 CPC and to dispose of the same after hearing arguments from both the sides.
7. The petition is, accordingly, disposed of as not pressed. All the rights and contentions of the parties are reserved.
8. The learned Trial Court is requested to take up the aforesaid injunction application on the date fixed i.e. 23.09.2024 and to dispose it of, as expeditiously as possible, after hearing both the sides.
9. Copy of the order be given Dasti under the signatures of the Court Master.

MANOJ JAIN, J

SEPTEMBER 20, 2024

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