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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ EFA(OS) 21/2024 & CM APPL. 59671/2024 –Ex, CM APPL. 59673/2024 –Ex, CM APPL. 59670/2024 –Delay 14 days. & CM APPL. 59672/2024 –Stay.

M/S DELHI AUTO AND GENERAL FINANCE LIMITED & ANR.

.....Appellant

Through: Mr.Anil Mishra & Mr.Dhaman Trivedi, Advs.

versus

M/S POYSHA OXYGEN PVT LTD & ORS.Respondent

Through: Mr.Abhishek Puri with Mr.Sahil Grewal, Mr.Ajay Pal Singh, Ms.Surbhi Gupta, Advs.

+ EFA(OS) 22/2024 & CM APPL. 59675/2024 –Ex., CM APPL. 59677/2024 –Ex., CM APPL. 59674/2024 –Delay 14 days & CM APPL. 59676/2024 –Stay.

M/S DELHI AUTO AND GENERAL FINANCE LIMITED & ANR.

.....Appellant

Through: Mr.Anil Mishra & Mr.Dhaman Trivedi, Advs

versus

M/S GOYAL MG GASES PVT. LTD. & ORS.Respondent

Through: Mr.Abhishek Puri with Mr.Sahil Grewal, Mr.Ajay Pal Singh, Ms.Surbhi Gupta, Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE



ORDER
09.10.2024

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1. After some arguments, learned counsel for the appellants submit that since E.A.445-449/2017, which had been filed by the appellants have not been considered by the learned Single Judge while passing the impugned order, the appellant instead of pressing the present appeals, would first approach the learned Single Judge with an appropriate application seeking orders in respect of the prayers sought in those applications. He, therefore seeks liberty to withdraw the appeal with liberty to approach the Court again, if the need so arises.
2. Though, learned counsel for the respondents vehemently contends that these applications were never pressed by the appellants before the learned Single Judge, we are not expressing any opinion on this aspect and are disposed of the appeals as not pressed making it clear that, in case, the appellants move any application before the learned Single Judge in respect of directions sought in E.A.445-449/2017, the same will be considered on its own merits.
3. We further make it clear that, once the applications, which the appellant propose to file before the learned Single Judge are disposed of, it will be open for the appellants to seek legal recourse as permissible in law on all grounds including grounds raised in the present appeal.

REKHA PALLI, J

SAURABH BANERJEE, J

OCTOBER 9, 2024/sr