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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO (COMM) 158/2025, CM APPL. 36513/2025, CM APPL. 36514/2025 & CM APPL. 36515/2025**

AU NATUREL BEAUTY PRIVATE LIMITEDAppellant

Through: Mr. Darpan Wadhwa, Senior Advocate with Ms. Petruska Dasgupta, Mr. Raghav Mittal and Mr. Anand Singh Sengar, Advocates.

versus

WET AND DRY PERSONAL CARE PVT LTD & ANR.

.....Respondents

Through: Mr. Satish Kumar, Mr. Rakesh Tiwari and Ms. Shivkanta, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

HON'BLE MR. JUSTICE HARISH VAIDYANATHAN

SHANKAR

ORDER

02.06.2025

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1. This is an appeal under Section 13(1) of the Commercial Courts Act, 2015 challenging the order dated 19th May, 2025 in CS (COMM) No.384/2025 passed by the learned District Judge (Commercial), West, Tis Hazari Courts, Delhi (hereinafter referred to as "Trial Court").
2. After some arguments, Mr. Darpan Wadhwa, learned senior counsel for the appellant as well as Mr. Satish Kumar, who is appearing on advance notice for respondent no.1, are agreeable to the appellant filing an application under Order XXXIX Rule 4 Code of Civil Procedure, 1908 (hereinafter referred to as "CPC, 1908") before the learned Trial Court for decision on



such application.

3. The appellant is permitted to file its application under Order XXXIX Rule 4 CPC, 1908 within two days from today. The respondent/plaintiff undertakes to file its response/reply within two days thereafter. Rejoinder affidavit, if any, be filed one day thereafter.

4. With the consent of the parties, the matter may be taken up for consideration of the application under Order XXXIX Rule 4 CPC, 1908 on 9th June, 2025.

5. It is requested that the learned Trial Court may dispose of the said application on 9th June, 2025 itself or by 11th June, 2025 at the latest.

6. The appeal is disposed of accordingly.

7. It is needless to note that we have not made any observation on the merits of the matter. The rights and contentions of all the parties are left open.

8. Order *dasti* under signatures of the Court Master.

TUSHAR RAO GEDELA, J
(VACATION JUDGE)

HARISH VAIDYANATHAN SHANKAR, J
(VACATION JUDGE)

JUNE 2, 2025

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