



2025:DHC:7705-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO (COMM) 245/2025, CM APPLs. 55187/2025,**
55188/2025 & 55316/2025

BADSHAH BIKANER FOOD PRODUCTS
PRIVATE LIMITED

.....Appellant

Through: Mr. Ankit Borker and Ms.
Shruti Shivkumar, Advs.

versus

BIKANER BHUJIA UDYOG SANGHRespondent
Through: Mr. Shailen Bhatia and Ms.
Deeksha Gulati, Advs.

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)
02.09.2025

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C. HARI SHANKAR, J.

1. This is a challenge to *ad interim* order passed by the learned Commercial Court on an application filed by the respondent as the plaintiff in the suit under Order XXXIX Rules 1 and 2 of the CPC. We are informed that the application under Order XXXIX Rules 1 and 2 is listed for hearing before the learned Commercial Court on 18 September 2025.

2. With consent of parties, we dispose of this appeal with a request to the learned Commercial Court to take up the application under Order XXXIX Rules 1 and 2 of the CPC for final hearing on 18 September 2025 and to pass orders thereon either on the same date or



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as soon thereafter as may be possible.

3. Reply to the Order XXXIX Rules 1 and 2 application be filed within a week. Rejoinder thereto, if any, be filed before the next date of hearing before the learned Commercial Court.

4. In order to facilitate hearing of the application, both sides are directed to place on record short notes of their respective submissions not exceeding four pages each after exchanging copies with each other at least a week in advance of the next date of hearing accompanied by duly indexed compilations of any judicial authorities on which they may seek to place reliance.

5. Learned Commercial Court while deciding the application would not be influenced by any observation or finding contained in the impugned order as it is merely *ad interim* in nature.

6. The appeal is disposed of in the aforesaid terms without expressing any opinion on merits.

7. Both sides undertake not to take any adjournment on the next date of hearing before the learned Commercial Court.

C. HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

SEPTEMBER 2, 2025/aky