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

+ **FAO (COMM) 320/2025&CM APPL. 70749-70750/2025**

NUVIA INDIA PVT LTD

.....Appellant

Through: Mr. Gurinder Pal Singh, Mr. Sidharth Borah and Ms. Jaya Bajpai, Advocates.

versus

BRIJBASI FIRE SAFETY SYSTEMS PVT LTD & ANR.

.....Respondents

Through: Mr. Sandeep Sharma, Senior Advocate with Mr. Aman Dhyani, Mr. Anubhav Bhasin, Mr. Tamim Qadri, Mr. Shashank Singh, Ms. Somya Gupta, Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

13.11.2025

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1. One of us (Hon'ble Mr. Justice Anish Dayal), has expressed reservation to take up the matter, to which, counsel appearing for the respective parties have jointly requested that they have no issue at all in this Court taking up the matter.
2. That being so, we have decided to proceed with the matter.
3. The appellant/original-defendant has approached this Court against a relief granted by the Commercial Court *vide* order dated 6th October 2025, which is *ad-interim* in nature.



4. We are informed, so also the respective counsels appearing for the parties are in agreement that, the said proceedings are now scheduled for further hearing on 24th November 2025 and on the same date, the appellant be permitted to agitate the very issue as regards the embargo created on the right of the appellant in the matter of encashment of Bank Guarantee.
5. Counsel appearing for the respondent no.1 claims that if the Court hears the matter on 24th November 2025 in the matter of confirmation of *ad-interim* relief/injunction, they have no issue.
6. That being so, we deem it appropriate to dispose of the present appeal.
7. Pending applications also stand disposed of accordingly.
8. We make it clear that we have not gone into the merits of the matter and all contentions of respective counsel are kept open.
9. We direct the learned Commercial Court to decide the proceedings in the matter of confirmation of *ad-interim* order dated 6th October 2025 in any case within a period of four weeks from today.
10. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

NOVEMBER 13, 2025/ay/ss