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

+ **CS(COMM) 99/2023**

MRITUNJAY NARAYAN JHA

..... Plaintiff

Through: **Mr. Avinash Trivedi, Advocate.**

versus

M/S IRCON INTERNATIONAL LIMITED

..... Defendant

Through: **Mr. Ankit Jain and Mr. Aditya Chauhan, Advocates.**

Mr. Pravir Chowdhury and Mr. Deepak Kansal, Advocates for applicant.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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01.05.2023

I.A. 8353/2023 (application under Order XXXIX Rules 1 and 2 of the CPC)

1. M/s S.S.D Enterprises, a sub-contractor of the plaintiff in respect of the contract between the plaintiff and the defendant which has given rise to the present suit, has filed this application for an injunction against the defendant from making payment to the plaintiff. Mr. Pravir Chowdhury, learned counsel for the applicant, seeks permission to withdraw the application with liberty to pursue independent remedies against the plaintiff as it may be advised.

2. The application is dismissed as withdrawn with liberty as



aforesaid.

I.A. 7946/2023 (for impleadment) and I.A. 7947/2023 (for impleadment)

1. These two applications which appear to be identical, have been filed by M/s S.S.D Enterprises for impleadment in the suit. Although applications are pending before the Joint Registrar, learned counsel for the applicant, seeks permission to withdraw the applications.
2. The applications are taken on board with the consent of learned counsel for the parties and dismissed as withdrawn with liberty to the applicant to pursue its independent remedies against the defendant as it may be entitled to in law.

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1. With the consent of learned counsel for the parties, it is directed that suit will be listed before the Joint Registrar on 10.05.2023 for completion of pleadings, admission/ denial of documents and marking of exhibits.
2. The next date fixed before Court i.e. 16.05.2023, stands cancelled.
3. List before Court on 28.08.2023.

PRATEEK JALAN, J

MAY 1, 2023

‘vp’/