

**Antares Systems Ltd. Vs. C I Indfia Pvt.Ltd. and others.**

**5.11.2009**

Present: Sh.Pavan Duggal, Advocate with Ms.Syeda Nashima Akhtar, Advocate for the appellant along with Sh.B.V.Suresh Kumar, CEO of the appellant company.  
Mr.Anjani Mishra, counsel for the respondent.

**Appeal No.1/2007**

This appeal was transferred from Delhi High Court vide order dated 23.4.2007 in CM(M) No.3193/2005 passed by Justice Pradeep Nandrajug of the Delhi High Court. Thereafter the same was taken up on the file of the CRAT and notices were issued to the respondents from time to time. Ultimately on 25<sup>th</sup> August, 2009, learned counsel for the appellant has filed a copy of the letter dated 24<sup>th</sup> August, 2009 for withdrawing the appeal. In order to judge the veracity of the letter, notice was issued to the appellant to file an affidavit for withdrawing the appeal. On 22<sup>nd</sup> September, 2009 learned counsel for the appellant has stated that the appellant has not responded and prayed for issuing notice to the appellant. Therefore, the notice was issued to the appellant to appear before the Tribunal today.

An affidavit of Sh.B.V.Suresh Kumar, CEO was filed on 3<sup>rd</sup> November, 2009. He is also present today. His statement has been recorded. In the statement he has stated that he is Chief Executive Officer of the appellant Company and is authorized to state that the appellant is not in a position to continue with this appeal, therefore, he is withdrawing this appeal. Mr.Anjani Mishra, Advocate is present on behalf of the respondent and has no objection in withdrawing the appeal.

In view of the aforesaid affidavit as well as the statement made by Sh.B.V.Suresh Kumar, the appeal is dismissed as withdrawn. Parties to bear their own costs. Let the appeal file be consigned to record room. Records of the complaint No.1/2003 titled 'Antares System Ltd. Vs. C-1 India Pvt.Ltd. and others', filed before Sh.Prakash Kumar, Adjudicating Officer, New Delhi be sent back forthwith.

November 5, 2009

**(JUSTICE RAJESH TANDON)  
PO (CRAT)**