



2025:DHC:7940-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **FAO(OS) (COMM) 79/2020, CM APPL. 14916/2020 & CM APPL. 14917/2020**
ANYTHING SKOOL LTD. (FORMERLY KNOWN AS LIBERTY INNOVATIVE OUTFITS LTD.)Appellant
Through: Ms. Twinkle Kataria, Adv.
Ms. Raj Latha Kotni, Ms. Swagita Pandey
and Ms. Ananya Singh, Advs.

versus

LIBERTY FOOTWEAR COMPANYRespondent
Through:

+ **FAO(OS) (COMM) 80/2020, CM APPL. 14922/2020 & CM APPL. 14923/2020**
LIBERTY FASHION OUTFITAppellant
Through: Ms. Twinkle Kataria, Adv.
Ms. Raj Latha Kotni, Ms. Swagita Pandey
and Ms. Ananya Singh, Advs.

versus

LIBERTY FOOTWEAR COMPANYRespondent
Through:

CORAM:
HON'BLE MR. JUSTICE C. HARI SHANKAR
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA
ORDER(ORAL)
08.09.2025

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C. HARI SHANKAR, J

1. Ms. Twinkle Kataria, learned Counsel for the appellant once again seeks opportunity for attempting at an amicable resolution.

2. We deem it appropriate to reproduce the following orders of



this case which would highlight how the matters in these cases have proceeded from time to time:

“Order dated 14 July 2020

.....

3. We have heard the counsel for the appellants in both the appeals at length as well as the response of the counsel for the respondent appearing on advance notice.

4. Applying the principles of law relating to scope of interference in appeal against interim orders, till now no illegality is found in the impugned order. However considering that the parties are members of a family and also partners, we have also tried to persuade the parties to arrive at an amicable settlement not only with respect to the disputes subject matter of the present appeals but also with respect to other lurking issues if any between the parties, so that the profitable business of the family is not killed by the *inter se* disputes.

5. The counsel for the appellants has fairly stated that he will obtain instructions.

6. List on 23rd July, 2020.

7. If no settlement is arrived at, the counsels will have an opportunity to address further.

Order dated 23 July 2020

1. The counsel for the appellants in both the appeals states that pursuant to the order dated 14th July, 2020, the members of the family to which the parties belong, have constituted a Committee of six elder members of the family, to resolve all the disputes and the first meeting of the Committee is scheduled on 8th August, 2020.

2. Adjournment to enable the parties to arrive at a settlement is sought.

3. The counsel for the respondent in both the appeals confirms that there has been a positive development.

4. List for further hearing, if no settlement is arrived at, on 15 September, 2020.

5. The parties are cautioned to make efforts during the



interregnum to settle and for this reason only long date has been given. If no settlement is arrived at, no further adjournment shall be granted.

Order dated 9 December 2020

1. The counsel for the appellants states that the mediation attempted by the parties on their own has not worked and the appellants are now willing for mediation through the Mediation Centre of this Court.
2. The counsel for the respondents states that though the respondents had shown their willingness but the appellants did not come forward. Else, the counsel for the respondents has no objection.
3. The parties are referred to the Delhi High Court Mediation and Conciliation Centre and to appear before the Mediation Centre, whether virtually/physically, as may be deemed fit by the Mediation Centre, on 18th December, 2020 at 12:00 PM.
4. The Mediation Centre is requested to assign the matter to Ms. Veena Ralli, Advocate, Mediator having experience of settling business disputes among family members.
5. List for hearing, if the mediation is not successful, on 23rd February, 2021.

Order dated 11 February 2022

The present matters have been taken up for hearing by way of Video Conferencing on account of COVID-19 pandemic.

With a view to exploring the possibility of arriving at an amicable settlement of all outstanding issues within the Liberty family, we deem it appropriate to require Mr. Adarsh Gupta s/o late Mr. P.D. Gupta, Mr. Raman Bansal s/o late Mr. R.K. Bansal, Mr. Vivek Bansal s/o late Mr. R.K. Bansal, Mr. Harish Gupta s/o late Mr. D.P. Gupta and Mr. Dheeraj Gupta s/o Mr. Harish Gupta, to remain present in-person before this court, on the next date of hearing.

List on 22.03.2022.

Order dated 12 July 2022

1. The learned counsels appearing for the parties state that the parties are unable to resolve the disputes amicably.



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2. Accordingly, the appeals would have to be heard on merits.
3. List on 20.09.2022.

Order dated 21 March 2023

Learned counsel for the respondent states that the respondent would like to resolve the matter amicably. He states that the respondent would take steps to initiate the process of resolution of the dispute.

In the interest of justice, adjourned to 25th May, 2023.

Order dated 22 September 2023

Learned counsel for the respondent apprises the Court that parties are considering avenues of settlement. A request is accordingly made for these matters being adjourned today.

Acceding to the same, let both appeals be called again on 14.12.2023.

Order dated 14 December 2023

Learned counsels for parties apprise the Court that they are exploring the possibility of a settlement. A joint request is consequently made for these appeals being adjourned today.

Accordingly, re-notify for 20.03.2024.

Order dated 21 January 2025

1. The learned counsels for the parties submit that parties are trying to amicably resolve their disputes and request for an adjournment.
2. Subject to orders of Hon'ble the Acting Chief Justice, list before another Bench of which one of us, Navin Chawla, J is not a member, on 23rd April, 2025.

Order dated 23 April 2025

1. Ms. Twinkle Kataria, who appears for the appellants and submits that attempts of an amicable resolution of the disputes are still underway.



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2. Accordingly, re-notify on 2 September 2025.

Order dated 11 August 2025

For referral to the Special Mediation Drive- Mediation ‘For the Nation’

Ld. counsel for the appellant gave her appearance later than ld. counsel for the respondent, therefore the matter could not be sent to mediation. Hence the matter is returned.

Order dated 2 September 2025.

1. Ms. Raj Latha Kotni, learned Counsel for the appellants submits that the parties are exploring the possibility of an amicable settlement.
 2. We have seen the order-sheets in this case. On the ground that the parties are exploring settlement possibilities, this Court has not even been able to issue notice in this appeal for the past 5 years. The parties each time reach the brink of settlement and then state that they do not wish to settle.
 3. We are not inclined to keep this appeal pending like this forever, waiting for the parties to settle their disputes. We have informed learned Counsel for the appellants that, in the event that the parties still want to resolve their disputes, we would be inclined to dispose of the appeal with liberty to the appellants to re-file the appeal, in case the disputes are not settled.
 4. Re-notify on 8 September 2025.”
3. Owing to the repeated attempts at mediation and the failure of those attempts, this Court has, for over five years since the appeal was instituted, not been in a position to issue notice in the appeal.
 4. It would be a mockery of the procedure of this Court if this appeal is adjourned yet again awaiting the possibility of mediation.



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5. Needless to say, moreover, the order passed today would not in any way inhibit the parties from amicably resolving the disputes between them, if they are so minded.
6. We, therefore, are not inclined to keep these appeals pending on the Board of this Court any further. The appeals are accordingly disposed of as the appellants have not been in a position to argue on notice of the appeal for five years as on date.
7. Needless to say, the disposal of these appeals would not inhibit the parties from arriving at an amicable resolution of the dispute.
8. In order to do complete justice, we also permit the appellants, in the event that the dispute is not resolved, to seek revival of these appeals by moving an appropriate application without having to re-file the appeals all over again.
9. Both the appeals are disposed of in the aforesaid terms.

C.HARI SHANKAR, J.

OM PRAKASH SHUKLA, J.

SEPTEMBER 8, 2025/ng