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

+ **CS(OS) 313/2001**

KANDHARI RUBBER LTD.

..... Plaintiff

Through : Mr.Sanjeev Sagar and Ms.Sunita
Gupta, Advocates.

versus

MODI RUBBER LTD.& ORS

..... Defendants

Through : None.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

% **07.09.2018**

IA No.11843/2018

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

IA No.11842/2018, 11844/2018

IA 11842/2018 is moved by plaintiff under Section 151 CPC for revival of the suit which was adjourned sine die because of the pendency of BIFR reference in respect of the defendant company. It is alleged since the provisions of the SICA stands repealed and now the defendant is no more a sick company, hence the suit be restored against the defendant. IA 11844/2018 is moved under Section 5 of the Limitation Act for delay condonation of 561 days in move the earlier IA by the plaintiff.

Issue notice to non-applicant/defendants through all modes returnable for 13.12.2018. Additionally, *dasti* notice through counsel for said date.

YOGESH KHANNA, J

SEPTEMBER 07, 2018

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