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

+ CS(OS) 497/2014 and I.A. 17108/2014

NARESH KOHLI Plaintiff

Through: Mr. D.S. Rajput, Advocate with
Mr. Arshad Ahmad, Advocate

versus

LILLIPUT KIDSWEAR LTD & ANR Defendants

Through: Mr. Karthik K. R., Advocate with
Mr. Arjun Singh Tokas, Advocate

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

ORDER

% **07.07.2015**

1. The present summary suit has been instituted by the plaintiff against the defendants/company praying *inter alia* for recovery of Rs.29,94,060/-. The defendants have filed a leave to defend application, registered as I.A. 174108/2014.

2. Counsel for the defendants states that the Board for Industrial and Financial Reconstruction has passed an order dated 17.02.2015 in Appeal No.36/2014, declaring the defendant as a sick company and registering it under Section 15(1) of Sick Industrial Companies (Special Provisions) Act, 1985. He hands over a copy of the order dated 17.02.2015 passed in Appeal No.36/2014 with a copy to the counsel for the plaintiff, which is taken on record.

3. Counsel for the defendants also informs the Court that vide order dated 06.01.2014 passed by the Company Court in **CO.PET.66/2012** entitled M/s China Trust Commercial Bank vs. M/s Liliput Kidswear Limited, the Official Liquidator has been appointed as the provisional liquidator to take charge of all the assets of the respondent/company. The aforesaid decision dated 06.01.2014 pronounced in CO.PET. 66/2012 is also handed over with a copy to the counsel for the plaintiff, which is taken on record.

4. Counsel for the plaintiff states that he may be permitted to withdraw the present suit while reserving his right to seek his remedies against the defendants/company in accordance with law.

5. Leave, as prayed for, is granted. The suit is disposed of alongwith the pending application.

HIMA KOHLI, J

JULY 07, 2015

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