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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **RFA 374/2015 & CM APPLs. 28397/2016, CM APPL. 28398/2016**
(delay), 29467/2016 & 29468/2016 (delay)
M/S ZAPATO EXPORTS PVT LTD & ANR Appellants
Through: Mr. Aman Leekha, Advocate.

versus

M/S SWIFT FREIGHT (INDIA) PVT LTD Respondent
Through: Mr. Arvind Chaddha, Advocate.

CORAM:
JUSTICE PRATHIBA M. SINGH

ORDER
% **11.01.2018**

The present appeal arises out of judgment dated 16th December, 2014. The Respondent/Plaintiff is a freight forwarding company and had filed the suit for recovery of Rs.5,59,110/- (Rupees Five Lakh Fifty Nine Thousand One Hundred and Ten only). The Trial Court has decreed the suit for the principal amount along with *pendente lite* and future interest @ 12% p.a.

On 26th May, 2015, this court had directed deposit of the decretal principal amount of Rs.5,59,110/- (Rupees Five Lakh Fifty Nine Thousand One Hundred and Ten only) which was not deposited and the appeal was therefore dismissed. An application CM No.23377/2015 was filed for restoration of the appeal which was also dismissed as the deposit had not been made by the Appellant.

The Appellant now submits that he has filed on record a demand draft for the principal amount on 18th January, 2016. The said demand draft which is at page 246 of the appeal paper book has now lapsed. Learned counsel for

the Appellant agrees to bring a fresh demand draft on the next date of hearing. The parties shall remain present on the next date of hearing.

List on 2nd February, 2018.

PRATHIBA M. SINGH, J.

JANUARY 11, 2018

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