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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CONT.CAS(C) 346/2015 & CM APPL. 10513/2015

ATUL JAIN

Through

..... Petitioner

Mr. Asheesh Jain, Advocate.
Petitioner in person.

versus

AMBER JOSHI & ANR

Through

..... Respondents

Mr. R.K. Joshi with Mr. Dilraj
Kumar, Advocates.
Respondent no. 1 in person.

WITH

+ CONT.CAS(C) 349/2015

KIRAN JAIN

Through

..... Petitioner

Mr. Asheesh Jain, Advocate.
Petitioner in person.

versus

AMBER JOSHI & ANR

Through

..... Respondents

Mr. R.K. Joshi with Mr. Dilraj
Kumar, Advocates.
Respondent no. 1 in person.

AND

+ CONT.CAS(C) 460/2015

MANIDHARI TRADING CO. Petitioner

Through

Mr. Asheesh Jain, Advocate.

CONT.CAS(C) 346/2015, 349/2015, 460/2015

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(4)

versus

AMBER JOSHI & ANR

Through

..... Respondents

Mr. R.K. Joshi with Mr. Dilraj
Kumar, Advocates.

Respondent no. 1 in person.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

02.07.2015

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Present contempt petition has been filed alleging wilful disobedience of the orders dated 5th November, 2014 passed by the Company Court in Co. Pets. 327-329/2014, by virtue of which the two Directors of Keep In Touch Clothing Private Limited had assured and undertaken to the Company Court that post dated cheques under the Settlement Agreements would be honoured.

Admittedly, some of the cheques under the Settlement Agreements have been dishonoured due to 'insufficient funds'.

Today in Court, learned counsel for the respondents has handed over to learned counsel for petitioner following three cheques in lieu of the dishonoured cheques :-

Sl. No.	Cheque No.	Dated	Amount	Bank
1.	355672	25/01/2016	5,13,473/-	Axis Bank Ltd., Sector 62, Noida, U.P.
2.	355674	25/04/2016	5,13,473/-	Axis Bank Ltd., Sector 62, Noida, U.P.
3.	355675	25/09/2016	5,13,473/-	Axis Bank Ltd., Sector 62, Noida, U.P.

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Learned counsel for the respondents on instruction of Mr. Amber Joshi, respondent no. 1 who is personally present in Court assures and undertakes to this Court that the aforesaid cheques are good for payment and the same shall be honoured on presentation.

Learned counsel for respondents also assures this Court that other post dated cheques handed over under the Settlement Agreement shall be honoured as and when they are presented for encashment.

The statements made by learned counsel for respondents are accepted by this Court and respondents are held bound by the same.

In view of the aforesaid, learned counsel for petitioners does not wish to press the present contempt petitions at this stage.

Consequently, present petitions are disposed of as satisfied. However, petitioners are given liberty to seek revival of the petitions in the event cheques handed over under the Settlement Agreement are dishonoured.


MANMOHAN, J

JULY 02, 2015

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