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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) No.1865/1996, IA No.7130/1996 (u/O 39 R-1&2 CPC), IA No.7131/1996, (u/O 40 R-1 CPC) & IA No.8506/1996 (u/O 37 R-3(5)CPC).
MEDICAMEN BIO TECH LTD. Plaintiff
Through: None.
versus

M/S H.LON HOSSIERY LTD. AND ORS. Defendants
Through: None.

CORAM:
HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW
ORDER
% **29.07.2016**

1. The plaintiff instituted this suit under Order 37 of the Code of Civil Procedure, 1908 (CPC) for recovery of Rs.78,62,500/- jointly and severally from the defendants no.1&2 namely M/s. H. Lon Hossierey Ltd. and Shri Rattan Lal Garera. The defendants no.3 to 6 are State Bank of Patiala, State Bank of Travancore, State Bank of Saurashtra and Bank of Baroda and the relief of restraining them from releasing any funds of the defendants no.1&2 lying with them was claimed.
2. Summons for appearance and thereafter summons for judgment were issued.
3. The defendants no.3 to 6 filed an application for deletion and vide order dated 13th May, 1998 an issue in that respect was framed.
4. The defendant no.1 Company was disclosed to have been ordered to have been wound up.

5. The plaintiff applied to the Company Court and was granted permission under Section 446 of the Companies Act, 1956 to prosecute the present suit on the condition that the decree if any in the suit shall not be executed without the permission of the Company Court.
6. Since then the suit was being adjourned till 15th July, 2004 when it was adjourned to 12th August, 2004.
7. However the next order sheet after 15th July, 2004 available in the file is of 30th September, 2015 when court notice was ordered to be issued to the counsels.
8. Court notice is reported to have been served on the counsel appearing for the defendants no.1&2.
9. None appears.
Dismissed in default.

RAJIV SAHAI ENDLAW, J

JULY 29, 2016
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