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

+ CCP(CO.) 6/2016 with Co. Petition No. 580/2013

DUMAPLAST NV

..... Petitioner

Through

Ms. Rekha Palli, Sr. Advocate with Mr.
Preet Pal Singh, Advocate

versus

NAVINDER SINGH SOIN

..... Respondent

Through

Mr. Chetan Anand, Mr. Akash Srivastava
and Ms.Surbhi Vyas, Advocates

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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28.11.2016

Co. Appl. No. 4734/2016

The present application has been instituted on behalf of the applicant/contemnor - Mr. Navinder Singh Soin, seeking modification of the order dated 3rd October, 2016, which reads as under:-

“Counsel appearing on behalf of the respondent, on instructions from the latter, states that a sum equivalent to 50,000 Euros, along with the interest thereon @9% per annum from today (at the rate of exchange prevalent on the date of deposit), shall be deposited with the Registrar General of this Court, by way of a demand draft on or before 05.03.2017.

Directed accordingly.

The respondent is directed to file an undertaking in this behalf, within a period of one week from today.

Renotify on 26.10.2016.”

Mr. Chetan Anand, learned counsel appearing on behalf of the applicant/contemnor prays that due to the financial difficulties being experienced by the latter, the time granted to the applicant/contemnor, to deposit the admitted outstanding liability qua the petitioner by way of order dated 3rd October, 2016, be extended till 31st July, 2017.

Issue notice.

Mr. Preet Pal Singh, learned counsel accepts notice on behalf of the petitioner and fairly does not oppose the present application, subject to the undertaking filed on behalf of the applicant/contemnor (annexed to the present application) being taken on record and accepted by the Court.

In view of the foregoing, the undertaking filed on behalf of the applicant/contemnor is hereby accepted and taken on record.

The applicant/contemnor is directed to abide by the said undertaking filed by him, without demur.

Consequently, the present application is allowed and the applicant/contemnor is directed to deposit the admitted outstanding liability qua the petitioner, positively by 31st July, 2017, in the sum of 50,000 Euros, alongwith interest @ 9% p.a. payable from 3rd October, 2016 till the date of deposit.

The said order dated 3rd October, 2016 is accordingly modified to the extent that the time granted therein to discharge the admitted outstanding liability which was earlier till 5th March, 2017 is now extended to 31st July, 2017. Therefore, the order dated 3rd October, 2016 shall, henceforth, read as follows:-

“Counsel appearing on behalf of the respondent, on instructions from the latter, states that a sum equivalent to 50,000 Euros, along with the interest thereon @9% per annum from today (at the rate of exchange prevalent on the date of

deposit), shall be deposited with the Registrar General of this Court, by way of a demand draft on or before 31.07.2017.
Directed accordingly.”

However, in the meantime, the applicant/contemnor is further directed to institute an appropriate application with the Reserve Bank of India seeking permission, in accordance with law, to transmit the said amount to the petitioner, at Belgium, under intimation to the petitioner.

With the above directions, the application is disposed of.

CCP(CO.) 6/2016

In view of the order passed today in Co. Application No. 4734/2016, Mr. Preet Pal Singh, learned counsel appearing on behalf of the petitioner seeks leave to withdraw the present petition with liberty to institute appropriate petition afresh in accordance with law.

Leave and liberty granted.

The present contempt petition is dismissed as withdrawn and disposed of accordingly.

SIDDHARTH MRIDUL, J

NOVEMBER 28, 2016

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