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

+ W.P.(C) 3171/2012

DURGA PRECISION UDYOG Petitioner
Through: Mr. Pranay Trivedi, Adv.

versus

SIYA RAM TIWARI Respondent
Through:

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER
% **02.12.2016**
CM 32046/2016

The petitioner has filed an affidavit on 1st December, 2016. However, the same is not on record. Learned counsel for the petitioner has handed over the copy of the affidavit. As per the said affidavit, the petitioner posted the letter dated 30th May, 2015 to the respondent along with a cheque for Rs.4,067/-. Learned counsel for the petitioner, however, fairly submits that the respondent has neither encashed the cheque nor raised any demand on the petitioner till date but the petitioner is willing to make payment. It is further submitted that the petitioner has not received any notice of the appeal against the judgment of this Court.

The application is allowed and the Registrar is directed to refund the amount deposited by the petitioner in terms of order dated 27th August, 2012 along with interest thereon to the petitioner.

J.R. MIDHA, J.

DECEMBER 02, 2016
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