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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(COMM) 971/2016

FDC LIMITED

Through

..... Plaintiff

Ms. Shwetasree Majumder with
Mr. Utkarsh Joshi and Ms. Paulami
Ganguly, Advocates

versus

MR ANUJ PAREEK & ORS

Through

..... Defendants

Mr. Mohit Jolly, Advocate for D-1
to 3.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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19.09.2017**I.A. 10897/2017**

Present application has been filed on behalf of the defendant nos. 1, 2 and 3 under Order 9 Rule 13 read with Section 151 CPC for setting aside ex-parte decree dated 27th October, 2016.

In the application it has been averred that immediately upon receipt of summons, the defendant no. 1 who is a resident of Jaipur, Rajasthan engaged Mr. G.D. Bansal, Advocate to appear on behalf of the defendants and requested him to file the written statement. It is averred that despite paying his professional fees, the erstwhile counsel did not appear on any single date before the Court and that he did not file the written statement.

It is stated in the application that the defendants-applicants completely relied on their counsel appointed by them and made the mistake of not independently following up with the proceedings.

It is also admitted that though the defendants-applicants received a communication in the month of February 2017 from the counsel of the plaintiff demanding payment of Rs.3,00,000/-, the amount decreed by this Court on 27th October, 2016, yet till date no complaint or proceeding has been filed by the defendants-applicants against their previous counsel till date.

Consequently, the version put up by the defendants-applicants in the present case inspires no confidence. Accordingly the application is dismissed.

MANMOHAN, J

SEPTEMBER 19, 2017

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