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

CM APPL. 10921/2019 in

+ RFA 446/2015

SUSHIL KUMAR

..... Appellant

Through: Mr. Dilip Singh, Mr. Puneet
Khurana, Advs.

versus

CORPORATION BANK

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **08.03.2019**

1. This application seeks release of the FDR of ₹ 75, 000/-, which was deposited by the petitioner with this Court, consequent to order dated 14th August, 2015, as a condition for grant of leave to defend the suit before the Trial Court.
2. Mr. Dilip Singh points out that the suit before the Trial Court stands dismissed for default on 22nd September, 2018, and that the appellant is no longer interested in contesting the said proceedings.
3. In view thereof, the appellant would be entitled to withdraw the above amount which stands deposited in this Court.
4. However, as there is no appearance on behalf of respondent, issue notice on this application to the respondent, returnable on 25th March, 2019.
5. *Dasti* service is permitted in addition.

C.HARI SHANKAR, J

MARCH 08, 2019/dsn