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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CRL. REV. P. 112/2017**

ARVIND TYAGI Petitioner
Through: Mr. Sunil Kumar Jha, Adv.
versus

M/S RAGHAV COLD STORAGE PVT. LTD. &
ANR. Respondents
Through: None for R-1.
Mr. Amit Chadha, APP for State/R-2.

AND

CRL. REV. P. 113/2017

ARVIND TYAGI Petitioner
Through: Mr. Sunil Kumar Jha, Adv.
versus

M/S RAGHAV COLD STORAGE PVT. LTD. &
ANR. Respondents
Through: None for R-1.
Mr. Amit Chadha, APP for State/R-2.

CORAM:
HON'BLE MR. JUSTICE A.K. PATHAK

ORDER
% **02.02.2017**

Learned counsel for the petitioner submits that civil suit bearing CS (COMM.) no. 438/2016 titled M/s Raghav Cold Storage Pvt. Ltd. vs. M/s Sobell Finance Ltd. & Ors. was filed by the respondent no.1 in this Court. It is further submitted that amounts involved in the complaint cases were also

involved in the above referred civil suit. Vide order dated 3rd June, 2016 the said suit has been disposed of in view of the settlement arrived at between the parties. Learned counsel further submits that petitioner has already handed over the possession of the subject property to the respondent no.1, in terms of the settlement. As regards rent is concerned, it is submitted that the same could not be paid due to the financial difficulties faced by petitioner's firm of which he is the Managing Director. It is further submitted that respondent has filed a contempt case bearing no. 925/2016 titled M/s Raghav Cold Storage (P) Ltd. vs. Arvind Tyagi, which is pending before the learned Single Judge of this Court. On 10th January, 2017 the said contempt case was taken up, when counsel for the petitioner (respondent in the contempt case) made a statement that the balance outstanding rent along with all taxes and dues shall be paid within eight weeks. On this undertaking the said contempt case has been listed for 16th March, 2017. It is submitted that petitioner could not appear before the trial court in the complaint cases for the reasons beyond his control. Learned counsel for the petitioner has assured that, in future, petitioner will appear before the trial court in complaint cases regularly. In view of this categorical statement of the learned counsel, by which petitioner shall remain bound, impugned

orders dated 17th January, 2017 are set aside.

Both the above referred revision petitions are disposed of.
Miscellaneous applications are disposed of as infructuous.

Copy of the order be given dasti under the signatures of the Court
Master.

A.K. PATHAK, J.

FEBRUARY 02, 2017
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