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

+ CCP(CO.) 12/2016

COURT ON ITS OWN MOTION

..... Petitioner

Through:

versus

ROHIT CHOUDHARY

..... Respondent

Through: Mr. Rohit Choudhary, Ex-Director in person

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER

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02.01.2017

Suo moto notice had been issued to Mr. Rohit Choudhary, the Ex-Director of the respondent-company, by way of order dated 22.03.2016, owing to the circumstance that the latter had not complied with the undertaking furnished to this Court, as recorded in the order dated 27.10.2016, to the effect that he would pay the settled amount in the sum of Rs.3,15,000/-, to the petitioner, within 15 days thereafter.

Mr. Rohit Choudhary, Ex-Director of the respondent-company, who appears in person, states that the settled amount in the sum of Rs.3,00,000/- along with a further sum of Rs.15,000/-, directed to be paid to the petitioner as costs, has since been paid by way of a cheque No.167028 dated 22.12.2016, drawn on ICICI Bank, New Delhi. Mr. Choudhary, further states that the said cheque has been duly encashed. A copy of the statement of account has been furnished by Mr. Choudhary. The same is taken on record.

Apart from this, after having heard Mr. Rohit Choudhary, the Ex-Director, it appears that he was unable to comply with the undertaking furnished to this Court, owing to his strained financial circumstances, and that the default was not wilful.

In view of the foregoing, the *suo moto* show cause notice issued to Mr. Rohit Choudhary, the Ex-Director is withdrawn and the present petition is disposed of accordingly.

SIDDHARTH MRIDUL, J

JANUARY 02, 2017

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