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

+ **W.P.(C) 3504/2017 & CMs 15303/2017 and 16443/2017**

RAJINDRA FORGE (P) LTD Petitioner

Through : Mr. Deepak Jain and
Mr. Pradeep K.B., Advocates with
Mr. Suresh Sood, Director of the petitioner
in person.

versus

CANARA BANK AND ANR Respondents

Through : Mr. Pallav Saxena with
Ms. Sudha Vashney, Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

% **01.05.2017**

1. This order is in continuation of the orders dated 24.4.2017 and 26.4.2017.
2. On 24.4.2017, learned counsel for the petitioner had stated that he may be given some time to bring pay orders/demand draft for a sum of Rs.20.00 lacs drawn in favour of the respondent No.1. The said offer was made in the light of the fact that vide impugned order dated 6.4.2017, the petitioner's appeal was dismissed by the learned DRAT in view of the fact that the cheque of Rs.20.00 lacs handed over by it to the counsel of respondent No.1/Bank on 29.3.2017, was dishonoured on being presented and the learned arguing counsel did not turn up on the said date.

3. Today, learned counsel for the petitioner hands over four pay orders totalling to a sum of Rs.20.00 lacs, drawn in favour of the respondent No.1/Bank, which are duly accepted by the counsel for the respondent No.1. A photocopy of the said pay orders is handed over by counsel for the petitioner and is taken on record.

4. Counsel for the petitioner requests that now that the petitioner has demonstrated its *bonafides*, the appeal and the interim application dismissed by the learned DRAT under the impugned order, may be restored to its original position for arguments to be addressed on merits.

5. We are informed that pleadings in Appeal No.9/2016 and in the interim application are complete and the matter was ripe for final arguments when the impugned order came to be passed. Accordingly, without prejudice to the rights and contentions of the parties and the pleas taken by them both, in law and on facts in the appeal, they are directed to appear before the learned DRAT on 16.5.2017 for further proceedings. In the event the learned DRAT finds the said date inconvenient for hearing arguments, then another date shall be fixed as per the board of the said tribunal.

6. The present petition is disposed of, along with the pending applications.

HIMA KOHLI, J

SANGITA DHINGRA SEHGAL, J

MAY 01, 2017

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