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

+ CONT.CAS(C) 477/2015

VOLTAS LIMITED

..... Petitioner

Through: Mr. D.S.Chauhan, Mr.K. Sharma,
Advts.

versus

M K GAUR & ANR

..... Respondents

Through: Mr. Sanjoy Ghose, ASC(Civil) along
with Ms.Pratishtha Vij, Adv. for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

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27.01.2017

1. The petitioner is aggrieved by the recovery certificate issued by respondent no.1 in violation of the interim stay orders dated 21st September, 2010 and 23rd November, 2011 passed by this Court in W.P.(C) 6382/2010.
2. Mr. Sanjoy Ghose, learned Additional Standing Counsel for Govt. of NCT of Delhi submits that respondent no.1 inadvertently issued the recovery certificate in bonafide ignorance of the stay orders passed by this Court. It is further submitted that respondent no.1 withdrew the recovery certificate upon the stay orders being pointed to him. It is further submitted that respondent no.1 has tendered an unconditional apology by an affidavit dated 28th October, 2015.
3. The unconditional apology of respondent no.1 is accepted. Respondent no.1 shall be careful in future.
4. Learned counsel for the petitioner submits that respondent no.1 acted on the wrong representations made by respondent no.2 who was well aware of the stay orders. Respondent no.2 is warned to be careful in future.

Liberty is given to the petitioner to initiate action against respondent no.2, if respondent no.2 repeats any such action in future.

5. The petition is disposed of in the above terms.

J.R. MIDHA, J.

JANUARY 27, 2017

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