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

+ CO.PET. 149/2005

NITI INTERNATIONAL LTD.

..... Petitioner

Through Mr.Raunak Singh, proxy counsel

versus

SHREE SAGARMATHA DISTRIBUTORS PVT. LTD... Respondent

Through Mr.Somesh Arora, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE JAYANT NATH**

**ORDER**

% **22.03.2018**

Despite order dated 27.7.2017 and 27.11.2017 Mr.Vijender Kumar, Managing Director of the petitioner company has not appeared. Mr.Vijender Kumar Kedia, Director of the respondent company is present in Court in person.

Learned counsel appearing for the petitioner states that the Managing Director of the petitioner is based in Singapore and despite several attempts they are not getting instructions from the said person.

It is quite clear that the petitioners are not prosecuting this petition. Petition is dismissed in default.

It is pointed out that by order dated 19.2.2013 the respondent without prejudice to its rights and contentions had deposited in court a Fixed Deposit for the entire sum claimed by the petitioner, namely, Rs.23,42,856/-. The said amount be released to the respondent alongwith accumulated interest.

**JAYANT NATH, J**

**MARCH 22, 2018/n**