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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
CS(OS) 2574/2010
ANANT RAJ INDUSTRIES LTD Plaintiff
Through: Mr. Rajeev Kumar Yadav & Mr.
Kanchan Chaudhary, Advs.
Versus
TRILOK CHAUDHARY & OTHERS Defendant
Through: Mr. Alok, Adv.
AND
+ CS(OS) 2870/2015 & IA No.19840/2015 (u/O XXXIX R-1&2 CPC)
TRILOK CHAUDHARY Plaintiff
Through: Mr. Alok, Adv.
Versus
ANANT RAJ INDUSTRIES Defendant
Through: Mr. Rajeev Kumar Yadav & Mr.
Kanchan Chaudhary, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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11.05.2018

1. This order is in continuation of the order dated 3rd May, 2018.
2. Mr. Alok, Advocate appears for Trilok Chaudhary who is the plaintiff in CS(OS) No.2870/2015 and the defendant no.1 in CS(OS) No.2574/2010 and states that after 3rd May, 2018, Trilok Chaudhary has taken away the file from Mr. Manish Gandhi, Advocate and thus he on behalf of Mr. Manish Gandhi, Advocate seeks discharge.
3. None else appears for the said Trilok Chaudhary.
4. Trilok Chaudhary cannot be permitted to so avoid the decision in the suits after detailed hearing on 3rd May, 2018 which was adjourned upon the counsel then appearing for Trilok Chaudhary taking adjournment, only to

find out from Trilok Chaudhary within how much time he will refund the earnest money received from the plaintiff in CS(OS) No.2574/2010, so that the rate of interest can be fixed accordingly.

5. Believing the statement of the advocate today appearing for Trilok Chaudhary, Mr. Manish Gandhi, Advocate and his office is discharged from appearance.

6. Since none else appears for Trilok Chaudhary, CS(OS) No.2870/2015 is dismissed in default of appearance and for the reasons already stated in the order dated 3rd May, 2018, a decree is passed in favour of the plaintiff in CS(OS) No.2574/2010 and jointly and severally against the defendants therein, for recovery of Rs.3,05,00,000/- with interest at the rate of 9% per annum from the date of institution of the suit till realization. The plaintiff in CS(OS) No.2574/2010 shall also be entitled to costs of the suit.

Decree sheet be drawn up in 2574/2010.

RAJIV SAHAI ENDLAW, J

MAY 11, 2018

‘gsr’..