

\$~CP-8

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

+ **CO.PET. 34/2008**

M/S LAVISH EXPORTS P.LTD.

..... Petitioner

Through None

versus

GOPALDAS PROPERTIES P.LTD.

..... Respondent

Through Ms.Ruchi Sindhwani, Sr.Standing
counsel with Ms.Megha Bharara, Adv. for OL
with Mr.Ramesh, Dy.OL

Mr.Achit Goel, Adv. for applicant in CA 784/2017

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **06.04.2018**

CA 784/2017 & OLR 94/2018

Application CA 784/2017 is filed seeking release of Rs.2,02,347/- alongwith interest deposited by the respondent in compliance of order dated 01.12.2010. It has been pleaded in the application that pursuant to directions of this court dated 1.12.2010 the applicant/respondent deposited Rs.2,20,347/ and Rs.50,000/- towards costs with the OL. This court thereafter disposed of the matter on 10.2.2011 with liberty to the petitioner to approach the appropriate civil forum for recovery of its dues. Pursuant thereto the petitioner has filed the suit for recovery of its alleged dues. The matter was settled before the trial court between the parties. However, after the settlement the plaintiff/petitioner stopped appearing before the trial court and has not appeared for its release and its dues. The said suit filed by the petitioner was dismissed for non-prosecution on 6.9.2014.

It has been pleaded that the whereabouts of the petitioners are not

known and the money lying deposited with the Registry of this court may be released.

The OL has filed their report being OLR 94/2018. In the report they have confirmed the deposit of the aforesaid amount. They have also confirmed that the fund position of the company is Rs.2,66,921/- is available with the OL.

Let the OL release the said amount of Rs.2,66,921/- to the respondent. Application and report stands disposed of.

JAYANT NATH, J

APRIL 06, 2018

n