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

+ **CS(COMM) 874/2016**

KOMANSU ELECTRONICS PVT LTD Plaintiff

Through Mr.S.Khan, Advocate.

versus

M/S GADSEC SOLUTIONS & ORS Defendants

Through Ms.Pragya Srivastava, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **27.02.2018**

On 22nd January, 2018, this Court had disposed of the defendants' application seeking leave to defend in a summary suit.

The relevant portion of the said order is reproduced hereinbelow:-

15. Keeping in view the aforesaid mandate of law and conspectus of facts, this Court is of the view that the defendants are trying to raise a defence which is plausible but improbable. Consequently, this Court directs the defendants to deposit the entire decretal sum of Rs.1,27,10,829/- with the Registry of this Court within a period of four weeks. Accordingly, I.As. 8336/2016, 9443/2016 and 11140/2016 stand disposed of.

16. Upon receiving of the amount, the Registry is directed to keep the same in a fixed deposit receipt initially for a period of six months.

17. List the matter before Court on 27th February, 2018. It is made clear that in the event the said amount is not deposited within the stipulated period, this Court would decree the present suit forthwith.

(emphasis supplied)

Today Ms.Pragya Srivastava, learned counsel for the defendants states that she has recently been engaged. She prays for an adjournment for two weeks so that an appeal can be filed before the Division Bench.

Keeping in view the aforesaid conditional order, which has admittedly not been complied with, this Court has no other option but to decree the present suit in accordance with Order XXXVII Rule 3(6)(b) of Code of Civil Procedure.

Consequently, the present suit is decreed in terms of the prayer clause of the plaint. Registry is directed to prepare a decree sheet accordingly.

MANMOHAN, J

FEBRUARY 27, 2018
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