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

+ W.P.(C) 13181/2018 & C.M. No. 51171/2018

THE JUGAL HANDLOOM CO-OPERATIVE INDUSTRIAL
SOCIETY LTD. AND ORS Petitioners

Through: Mr. Anil Kr. Sharma, Advocate.

versus

THE DELHI STATE CO-OPERATIVE BANK LTD. AND ANR.
..... Respondents

Through: Mr. Anand Yadav, Adv. for R-1.
Ms. Shobhana Takiar, Adv. for R-2.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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07.12.2018

The petitioners have preferred the present writ petition to seek a direction that the individual petitioners will not be arrested or detained for recovery of the Cash Credit Limit (CCL) dues against them. They also seek quashing of the proceedings initiated against them by respondent No.2 i.e. Assistant Collector Grade-II, Co-operative Societies, GNCTD.

A perusal of the writ petition shows that the petitioners have not disclosed the facts that the summons have been issued by respondent No.2 from time to time demanding the due amount from the petitioners in pursuance of an Arbitration Award. There is no whisper in the entire petition that the petitioners/borrowers have suffered an Arbitral Award in respect of the claim of respondent No.1. The petitioners have stated that they had preferred WP(C) 131/2018 and that the same had been withdrawn

on 17.01.2018.

We have searched the record and find that the Writ Petition (Civil) No.131/2018 had actually been dismissed in default and for non-prosecution on 08.01.2018.

Since the petitioners have suppressed the vital information from the Court, and also misled the Court by stating false facts which are material, we are not inclined to entertain the present petition.

Dismissed.

VIPIN SANGHI, J

A. K. CHAWLA, J

DECEMBER 07, 2018

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