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

+ **RFA 73/2018**

M/S MADHAN AND COMPANY & ORS

..... Appellants

Through: None.

versus

PUNJAB & SIND BANK & ORS

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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09.08.2018

1. No one was present on behalf of the appellants in the first call. No one is present for the appellants even on the second call, although it is 12:30 p.m.

2. This appeal in terms of judgment dated 24.1.2018 was dismissed holding the same to be an abuse of process of law with costs of Rs.5,00,000/- being imposed upon the appellants/defendant nos. 1 to 3. A sum of Rs.2,50,000/- was payable to the respondent no. 1/plaintiff and a sum of Rs.2,50,000/- was to be deposited with the website www.bharatkeveer.gov.in.

3. So far as the costs payable to the respondent no. 1/plaintiff, the same would be executable as a money decree and therefore respondent no. 1/plaintiff can file execution proceedings for recovery of the costs of Rs.2,50,000/-.

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4. So far as non-payment of costs of Rs.2,50,000/- with the website www.bharatkeveer.gov.in is concerned, let court notices, without process fee, be issued to the appellants as also their counsels, returnable on 9th October, 2018.
5. Appellants are put to notice that in case the order of deposit of costs is not complied with, the appellants will be liable to be proceeded against, including under the Contempt of Courts Act, 1971.
6. Registry will ensure that notices are positively got served on the appellants as also the counsels for the appellants by giving the necessary intimation to the process server who goes for service.
7. A copy of this order to accompany the notices to the appellants as also their counsels.

VALMIKI J. MEHTA, J

AUGUST 09, 2018

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