

\$~1

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

+ CS(COMM) 655/2016 & I.A.No.8180/2016

AKUMS DRUGS & PHARMACEUTICALS LIMITED & ANR

..... Plaintiffs

Through Mr.Sunil Kumar, Advocate.

versus

VAIBHAV BHATIA & ORS

..... Defendants

Through Ms.Asha Jain Madan, Advocate for
D-1, 2 & 4.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **11.02.2019**

Today Ms.Asha Jain Madan, Advocate enters appearance on behalf of defendant no.2. She hands over a *vakalatnama* executed by defendant no.2 in her favour. The same is taken on record.

Learned counsel for defendant nos.1, 2 & 4 states that the said defendants are not in possession of any of the documents mentioned in prayer clause (A) of the plaint. She further states that the said defendants have already sold their entire shareholding in plaintiff no.2 to plaintiff no.1. She submits that as the defendant nos.1, 2 & 4 are former shareholders and directors of the plaintiff-company who have not given any personal guarantee to any creditors, suppliers or service providers, the liability to pay the said entities, if any, would be of plaintiff no.2 alone.

Learned counsel for the plaintiff prays for some time to obtain instructions.

Let the Managing Director of the plaintiff-company be personally present in Court on the next date of hearing.

List on 19th February, 2019.

MANMOHAN, J

FEBRUARY 11, 2019
KA