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

+ CM(M) 1102/2018 & CM APPL. 37688-37690/2018

M/S CONTENTRA TECHNOLOGIES (INDIA) PVT LTD

..... Petitioner

Through: None.

versus

DIPAK SHAW

..... Respondent

Through: Mr. Abdul Kader, Adv.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

% **07.02.2019**

Vide order dated 19.12.2018 pursuant to order dated 12.10.2018, there were directions issued to the petitioner for deposit of the 50% of the amount equivalent as directed vide the impugned order to be deposited in the form of an FDR in the name of the learned Additional District Judge-03 with an automatic renewal clause by the date 15.01.2019 subject to which, the operation of the impugned order i.e. the order dated 24.05.2018 of the Court of the ADJ-03 in CS 9641/2016 had been directed to be stayed, vide which the leave to defend had been granted subject to the condition that an FDR of an equivalent amount to the suit amount to be deposited.

It has been submitted on behalf of the respondent by learned counsel for the respondent that there was no compliance of the directions dated 12.10.2018 nor of the directions dated 19.12.2018 in

as much as the amount as directed vide order dated 12.10.2018 and 19.12.2018 was not deposited by the petitioner and thus vide order dated 30.01.2019 in CS 9641/2016, copy of which has been submitted by the learned counsel for the respondent, it is indicated that the suit of the plaintiff has already been decreed for recovery of Rs.28,17,244/- along with interest @ 12% per annum from the date of filing of the suit till the realization of amount with the cost of the suit having been awarded to the plaintiff i.e. the respondent herein.

The petition is thus dismissed.

ANU MALHOTRA, J

FEBRUARY 07, 2019

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