



A.No.4937 of 2022
in C.S.No.515 of 2015

N.SESHASAYEE, J.

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It is a case which has stalemated the interest of quite a few creditors of the defendants. The defendant is into film production and it is stated that it was financed by atleast 18 financiers. All these creditors appear to have filed different litigations and some of them even obtained decrees. The present litigation is instituted by one of the creditors of the defendant. This Court is informed that there are about 18 creditors. One of the creditors is M/s.Eros International, and it had laid an Application under Section 9 of the Arbitration and Conciliation Act before the Bombay High Court and that came to be compromised when the defendant made a promise to discharge the debt it owes to M/s.Eros International and a decree was also passed in that suit. But that commitment is not honoured yet. In the meantime, there are litigations pending before Commercial Division of this Court as well, wherein, this Court understands a Commissioner has been appointed for releasing the movie.

2.Be that as it may, the present suit has been dismissed for default and to resurrect life into this case, the plaintiff has now come forward with an application to restore the suit.

3.Heard both sides. This Court deems it appropriate to condone the delay in filing an application to restore the suit. Accordingly, this application stands allowed and the delay is condoned.

14.12.2022

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