



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

202

CRM-M-24463-2018

Date of decision: August 13th, 2024

Hindustan Dorr-Oliver Limited and another

.....Petitioners

Versus

Sharma Fabricators and Erectors Pvt. Ltd.

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: None.

MANJARI NEHRU KAUL, J. (ORAL)

Mr. Aman Bahri, Advocate, has appeared and submitted that he had already withdrawn his power of attorney.

2. Therefore, notice was issued to the petitioners also, however, yet again none has entered appearance.

On the last date of hearing, following order dated passed:-

“Vide order dated 31.05.2018, the following order was passed by a coordinate bench of this Court and staying the further proceedings in the complaint in question.

*“Learned counsel for the petitioners submitted by relying upon the judgment rendered by Hon'ble Supreme Court in **Kusum Ingots & Alloys Ltd. etc. Vs. Pennar Peterson Securities Ltd. and others reported in 2000 (1) ACR 719 (SC)** that there is prohibition for resorting to Negotiable Instruments Act with reference to BIFR order treating the companies 'sick'.*

Notice of motion for 28.09.2018.

Further proceedings pursuant to the complaint is stayed till the next date of hearing.”

A perusal of the all the zimni orders reveals that not even a single date, any argument have been advanced by either of the parties and the interim order dated 31.05.2018 has continued to be in operation.

As per office report, process fee has still not been deposited. As a result of which, the respondent could not be served.

In the circumstances, interim order dated 31.05.2018 stands vacated.

Purely in the interest of justice, adjourned to 13.08.2024.

To be taken up after urgent matters.”

- 3. Case has been called twice, however, yet again, there is no representation on behalf of the petitioners.
- 4. Dismissed for non-prosecution.

August 13th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned

:

Yes

Whether reportable

:

No