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

+ **CS(OS) 5/2012**

YASHWANT SINGH

..... Plaintiff

Through: Mr Mohit Chaudhary and Mr Kunal Sachdeva, Advocates.

versus

ASHUTOSH VERMA

..... Defendant

Through: Mr Jai Sahai Endlaw and Mr Ratneshwar Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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21.02.2017

IA Nos. 14446/2012 and 22754/2012

These are applications filed on behalf of the applicant (plaintiff) under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908, *inter alia*, alleging disobedience of the order dated 10.02.2012. The said applications were filed as it was alleged that the defendant had placed a "porta cabin" on the ground floor as well as put up a board. The learned counsel appearing for the defendant states that the porta cabin as well as the board has been removed. It is pointed out that the plaintiff has also failed to comply with the direction given in the order dated 21.12.2012 inasmuch as the plaintiff has not deposited a sum of ₹3.18 crores with the Registrar General of this Court within the time specified and further also failed to deposit a sum of ₹34,10,000/- which was admittedly received by him in cash.

There is no dispute that the plaintiff has failed to comply with the directions to make the deposit in terms of the order dated 21.12.2012. Thus, in any event the plaintiff is not entitled to any discretionary relief in these



proceedings.

In view of the statement made by the learned counsel for the defendant that the porta cabin and the board in question has been removed, no further orders are required to be passed in these applications.

The applications are disposed of.

IA No. 923/2013

The learned counsel for the plaintiff does not seek to press the present application. The same is dismissed as not pressed.

CS(OS) 5/2012 and IA Nos. 17118/2013, 2347/2014, 21884/2014, 21982/2014, 21983/2014, 21984/2014, 21985/2014 and 665/2017

List for consideration of the pending applications on 13.04.2017.

VIBHU BAKHRU, J

**FEBRUARY 21, 2017
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