

(2024) 06 SIK CK 0017
In the Sikkim High Court
Case No : Regular First Appeal No. 04 Of 2023

Vice President Of M/S Dans Energy Private Ltd.	APPELLANT
Vs	
Aditya Kunga Gurung, Through Registered Power Of Attorney	RESPONDENT

Date of Decision : 04-06-2024

Acts Referred:

Code Of Civil Procedure, 1908 — Order 41 Rule 1(3)

Citation : (2024) 06 SIK CK 0017

Hon'ble Judges : Bhaskar Raj Pradhan, J

Bench : Single Bench

Advocate : Rahul Rathi, N. Rai, Tara Devi Chettri, Priscila Rai

Judgement

Bhaskar Raj Pradhan, J

1. An adjournment is sought by Mr. Rahul Rathi, learned counsel for the appellant on his personal ground which is not objected by Mr. N. Rai, learned Senior Counsel for the respondent. The learned Senior Counsel however, submits that the appellant who had been directed to pay damages of an amount of Rs.10,12,440/- with 10% interest has not deposited the said amount or provided security as required under Order 41 Rule 1(3) of the Code of Civil Procedure, 1908.
2. The learned counsel for the appellant desires a short time to examine the issue and make his submission on the next date. Permitted.
3. List on 07.06.2024.