

# **SUPREME COURT OF INDIA**

Water and Power Consultancy Services[India]Ltd.

Vs.

Sudha Gadodia

C.A.No.3273-3274 of 2009

(Tarun Chatterjee and H.L. Dattu JJ.)

01.05.2009

## **ORDER**

1. Leave granted.

2. This appeal has been preferred against an order dated 25 th of February, 2009, passed by a learned judge of the High Court of Delhi at New Delhi in CMM No.143 of 2009 and CMM No.2725 of 2009, by which the High Court reversed an order of the Additional District Judge directing the respondent to withdraw the admitted rent in respect of the property in question against furnishing of a bank guarantee.

3. We have heard learned counsel for the parties and after going through the impugned order and other materials on record, we are not inclined to interfere with the order of the High Court. However, from a perusal of the impugned order, it appears that the High Court has directed the Chairman of the appellant company to be personally present in Court on 8 th of April, 2009. Considering the facts and circumstances, we do not think that such an order ought to have been passed directing the Chairman to be personally present in Court only because the appellant sought number of adjournments.

4. Accordingly this part of the impugned order directing the Chairman of the appellant company to be personally present in Court is deleted. The appeal is thus disposed of. Since, this order has been passed in the absence of the respondent, we keep it open for the respondent to apply for recall of this order, if so advised.