

Turning Point & Anr vs Turning Point Institute Private Ltd on 21 March, 2018

Author: Indermeet Kaur

Bench: C.Hari Shankar, Indermeet Kaur

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*IN THE HIGH COURT OF DELHI AT NEW DELHI

+ FAO(OS) 263/2017 & CM Nos.35553-54/2017

TURNING POINT & ANR

Through :

..... Appellants

Mr. Saif Khan, Mr. Manish

Biala and Mr. Ashutosh

Upadhyaya, Advs.

versus

TURNING POINT INSTITUTE

PRIVATE LTD

..... Respondent

Through : Respondent in person.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% 21.03.2018

1. A failure report has been received from the Delhi High Court Mediation and Conciliation Centre.
2. We are informed by ld. counsel for the appellants that the students, who were admitted long before when the impugned order dated 11th August, 2017 was passed, had deposited post-dated cheques for payment of charges towards tuition and coaching.
3. We are further informed that these post-dated cheques were in the name of the institute - "Turning Point", as was being run by the appellant till such order of injunction intervened. The FAO(OS) 263/2017 page 1 of 2 appellant has a bank account in this name as well. Ld. counsel for the appellant submits that non-encashment would cause grave and irreparable loss and damage to the appellant.
4. Till the next date of hearing, we permit encashment of the cheques which have already been received by the appellant in the name of the institute - "Turning Point" towards the coaching centre run by him. This deposit and encashment would be without prejudice to the rights and contentions

of the both sides.

5. It is not possible to hear the further arguments in this case today on account of functions relating to the retirement of Indermeet Kaur, J.

6. List for further hearing on 3rd April, 2018.

Dasti.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

MARCH 21, 2018
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