

\$~2.

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

+ CS(OS) 1950/2008 & IA No.11306/2008

NARESH

..... Plaintiff

Through: None

versus

NARENDER KUMAR

..... Defendant

Through: None

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**ORDER**

%

**10.08.2015**

1. The suit has been placed before the court by the Joint Registrar who had recorded in the order dated 19.5.2015 that the case was listed for recording the cross-examination of DW-1. However, none had appeared on behalf of the plaintiff, nor was the plaintiff represented on the earlier two dates, i.e., on 13.11.2014 and 22.12.2014. Prior thereto, on 19.9.2014, counsels for the parties had stated that they were trying to explore the possibility of arriving at an amicable settlement. As per the mediation report dated 12.11.2014, the case had ended as a `non-starter`.

2. The matter was passed over on the first call as none was present on behalf of the plaintiff. Same is the position on the second call.

3. It appears that the plaintiff is not interested in prosecuting the present suit, which is accordingly dismissed in default and for non-prosecution, along with the pending application.

**HIMA KOHLI, J**

**AUGUST 10, 2015**

mk