

\$~2

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

+ **W.P.(C) 450/2011**

N L VAISH

..... Petitioner

Through **Mr. K. Sunil, Advocate.**

versus

SHROFF'S CHARITY EYE HOSPITAL

..... Respondent

Through **Ms. Raavi Birbal, Advocate.**

CORAM:

HON'BLE MR. JUSTICE SUDERSHAN KUMAR MISRA

ORDER

%

03.02.2016

This petition, which had been dismissed on 12.08.2014, was restored in terms of the orders passed by this Court on 28.08.2015 in CM Appln. No.10842/2014 to its original position, subject to costs of Rs.5,000/- to be paid to the respondent within two weeks from today. At the same time, it was clarified that the pendency of this petition would have no bearing on the civil proceedings initiated by the respondent seeking eviction of the petitioner from the accommodation allotted to him by the respondent. In terms of the aforesaid orders, costs were to be paid within two weeks, i.e., on or before 11.09.2015.

Counsel for the respondent states that said costs have not been paid by the petitioner.

I find that no proof of payment of costs has been filed by the petitioner in Court. Consequently, the writ petition, which was restored on

terms on 28.08.2015, is now dismissed for non-prosecution, and for non-payment of costs.

SUDERSHAN KUMAR MISRA, J

FEBRUARY 03, 2016

dr