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

+ **CS(OS) 2429/2009 and I.A. 16425-16427/2009**

**M/S KEY STONE BUILDTECH PVT. LTD** ..... Plaintiff  
Through: None

versus

**SHRI JAWAHAR LAL CHABRA & OTHERS** ..... Defendants  
Through: Mr. Rishi Manchanda, Adv. for D-1.  
Mr. D.S. Narula, Senior Advocate with Mr. A.S.  
Narula, Advocate for D-2.

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

**ORDER**  
% **16.09.2016**

**I.A. 21812/2014 (by D-1 u/O XXXVII R 3(5) CPC) and I.A. 17589/2015 (by D-2 u/O XXXVII R 3(5) CPC)**

1. The case was passed over on the first call as none was present on behalf of the plaintiff. The position remains the same on the second call at 3:13 PM. Counsels for the defendants No.1 and 2 state that though the counsel for the plaintiff was duly informed about the demise of the defendant No.3 on 26.04.2016 and time was sought by him to take steps to bring on record the legal heirs of the deceased defendant No.3, no steps have been taken in this regard.
2. Pertinently, none was present on behalf of the plaintiff before the Joint Registrar even on 20.07.2016.
3. It appears that the plaintiff is not interested in prosecuting the present

suit, which is accordingly dismissed in default and for non-prosecution alongwith the pending applications.

**HIMA KOHLI, J**

**SEPTEMBER 16, 2016**

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