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

+ **CS(OS) 1453/2007**

M/S LAMBDA EASTERN TELECOMMUNICATION Plaintiff
Through: None.

Versus

M/S ACME TELE-POWER PRIVATE LTD & ANR Defendants
Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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08.09.2016

1. None appears.
2. The plaintiff instituted this suit for declaration that the Power Management Unit manufactured by the plaintiff does not infringe the defendants' claim under patent No.197086 and for ancillary reliefs.
2. The suit was entertained and preliminary issues framed on 4th February, 2010 with the onus of the issues being on the two defendants.
3. On 10th February, 2011, on the statement of the counsel for the parties this suit was adjourned sine die awaiting the outcome of the suit instituted by the defendants at Uttarakhand and with liberty to the parties to apply for revival after the decision of the Uttarakhand suit.

4. Neither party applied for revival and the Registry of this Court on its own listed the suit on 3rd September, 2015 and though the suit has been listed several times thereafter but none has appeared for the parties. Vide order dated 28th March, 2016, Court notice was ordered to be issued and is reported to have been served on the counsel for the plaintiff as well as the counsel for the defendants. In spite thereof none appears.

5. Dismissed in default.

RAJIV SAHAI ENDLAW, J.

**SEPTEMBER 08, 2016
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