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

+ **CS(OS) 2462/2011**

SHRI SHADI RAM Plaintiff

Through: None.

versus

SHRI RAMESH CHAND AGGARWAL & ORS. Defendants

Through: Mr. Sanjay Manchanda, Advocate for
defendant No.1.

Mr. Naushad Ahmad Khan, Advocate
for defendant No.3.

Mr. Rajesh Yadav, Advocate with
Ms. Ruchira Arora, Advocate for
defendant Nos.8 and 11.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **17.03.2016**

1. Once again no one appears for the plaintiff. It is noted that the suit was dismissed for non-prosecution on 15.10.2015 and restored by subsequent order dated 23.12.2015 and by which order the suit was listed today in the Court. Plaintiff in terms of the earlier order dated 11.3.2015 had to value the suit property on the basis of market value and pay ad valorem court fees within six weeks from 11.3.2015, but till today in March, 2016, this order has not been complied with.

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2. It is also noted that costs of Rs.5,000/- were ordered to be paid to the Delhi High Court Bar Association Library Fund when the suit was restored vide order dated 23.12.2015 and which order of deposit of costs also has not been complied with by the plaintiff.

3. Accordingly, this suit is dismissed in default and for non-prosecution and also plaint would stand rejected on account of non-payment of court fee.

4. Let no application for restoration/recall of this order be entertained unless costs of Rs.10,000/- are first paid to each of the counsel for the defendants who are appearing today.

VALMIKI J. MEHTA, J

MARCH 17, 2016

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