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

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**ARB. A. (COMM.) 42/2016**

STARLOG ENTERPRISES LTD.

..... Appellant

Through: Mr. Debesh Panda and Mr. Neil Chatterjee, Advocates.

versus

CLIX CAPITAL SERVICES PRIVATE LTD.

..... Respondent

Through: Ms. Deepika V. Marwaha, Mr. Vaibhav Asthana and Mr. Gaurav Singh, Advocates with Mr. Atul Bansal and Mr. Gauav Tyagi, Authorised Representatives.

**CORAM: JUSTICE S. MURALIDHAR**

**ORDER**

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**30.11.2016**

**ARB. A. (COMM.) 42/2016 & IA No. 14858/2016 (for exemption)**

1. It is extremely unfortunate that a mentioning was made before this Court about urgent listing of this case without pointing out that what had been filed was a copy of an appeal neither signed by party nor counsel. The verification is blank. The statement of truth has several blank paragraphs and it is also not signed by anyone. Also, there is no affidavit in support of the appeal. There is no affidavit in support of the application as well. The *vakalathnama* is blank.

2. This is a shocking state of affairs. It betrays the trust placed by the Court

on the counsel. The Registry cannot be blamed for this because upon the Court Master's noting that the matter had to be listed on mentioning, the Registry listed the matter "subject to office objections". To be fair to the Registry it was prominently noted on the top sheet "No documents filed. Nothing filed properly."

3. The Court expects a certain degree of responsibility from the counsel to ensure that what is being filed and then mentioned before the Court is a properly filed appeal and not one which does not even have the signatures thereon of the party or even of the counsel, no affidavit and not even a signed *vakalathnama*.

4. For the above reasons, the Court is constrained to dismiss this appeal and the application *in limine*. This will not preclude the Appellant from filing a properly constituted appeal in accordance with law.

**S. MURALIDHAR, J**

**NOVEMBER 30, 2016**

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