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

+ RFA 255/2017 & CM 8661/2017 (Delay)

UNION OF INDIA Appellant

Through Mr.Ruchir Mishra, Adv.

versus

M/S RAM LAL HANS & SONS Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

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21.07.2017

The present appeal has been filed against the judgment and decree dated 12.12.2011 vide which the suit of the plaintiff was dismissed. The present appeal has been filed along with an application for condonation of delay.

It has been submitted by the counsel for the appellant that the appeal has been filed on the ground that issue no.2 has not been decided by the trial court. Counsel for the appellant fairly conceded that he has found out from the documents that issue has already been decided. He has further contended that matter of res judicata has been examined by the trial court in this case and the suit was barred by res judicata.

In view of the above scenario, no ground is made out for condonation of delay or for entertaining the appeal, in view of the submissions made by the counsel for the appellant.

Consequently, application for condonation of delay and appeal are dismissed.

No order as to cost.

P.S.TEJI, J

JULY 21, 2017
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