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

+ RFA(OS) 32/2013

RAMCHANDRA PATHAK

..... Appellant

Represented by: None

versus

PRATAP SINGH AND ORS

..... Respondents

Represented by: None

**CORAM:**

**HON'BLE MR. JUSTICE PRADEEP NANDRAJOG**

**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

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**13.01.2017**

CM No.13989/2016

1. The appellant has filed above captioned Civil Misc.Application praying that the appeal be heard on merits after recalling the order dated September 10, 2013 disposing of the appeal recording the right of the appellant to move an application seeking review of the impugned decree.

2. After the application was filed and listed in Court we find that the appellant did not prosecute the same with diligence. None appeared for the applicant on April 22, 2016. Adjourned to July 25, 2016 counsel appeared and sought an adjournment. The application was listed on August 23, 2016. Once again counsel for the appellant sought an adjournment. The application was adjourned for October 04, 2016. None appeared for the appellant on said date. The application was re-notified for today.

3. None has appeared for the appellant when the matter was called out for the first time. None appears for the appellant even at the second call.
4. The application is accordingly dismissed for non-prosecution.

**PRADEEP NANDRAJOG, J**

**YOGESH KHANNA, J**

**JANUARY 13, 2017**

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