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

+ **MAC.APP. 167/2009**

SUNILA GUPTA & ORS. Appellants

Through: Nemo.

Versus

BALBIR SINGH & ORS. Respondents

Through: Mr. Manoj R. Sinha, Advocate for
Insurer.

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER

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01.03.2017

In this appeal, enhancement of compensation is sought. On the last three dates of hearing, there is no appearance on behalf of appellant.

Learned counsel for respondent-Insurer had undertaken to inform appellant's counsel about pendency of this appeal. Proof of written intimation given to appellant's counsel has been placed on record by learned counsel for respondent-Insurer.

Even today none has appeared on behalf of appellant. In such a situation, there is no option except to dismiss this appeal in default and for non-prosecution. It is made clear that in the event of restoration of this appeal, the decision in the other appeal [MAC APP. 4/2009] will have no bearing on this appeal as this appeal is confined to quantum of compensation granted and in appeal MAC APP. 4/2009, quantum of compensation granted was not under challenge.

With aforesaid observations, this appeal is dismissed in default.

SUNIL GAUR, J

MARCH 01, 2017

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