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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ MAC.APP. 873/2012 & CM No.13840/2012

JAGDISH CHANDER & ANR Appellants
Through: Mr. Praveen Kumar for Mr.Shiv
Kumar Sharma, Advocate.

Versus

SUMAN & ORS Respondents
Through: Mr. Pankaj Gupta for Mrs.Suman
Bagga, Advocate for Respondent
No.7.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **24.05.2017**

The Court notices that there has been a consistent pattern of adjournments being sought by the appellants. On 25.02.2016, while adjourning the case to 24.08.2016, the Court recorded as under:-

“CM No. 13840/2012

Proxy counsel had appeared in the pre-lunch session to seek adjournment. It was noted that the appeal had been hanging fire over the last several years. The appellant having taken stay has failed to co-operate for expeditious disposal. The proxy counsel was asked to arrange presence of the counsel in the post-lunch session. The matter is taken up again. The proxy counsel appears and submits that the main counsel is unable to come. In this view, the stay against execution is vacated.

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The appeal shall be renotified on 24.08.2016.”

On 24.08.2016 the case was again adjourned at the request of the counsel for the appellants. The same was case on 19.09.2016 when the case was adjourned to 20.12.2016. Yet again on the said date, an adjournment was granted to 17.02.2017 at the request of the counsel for the appellants. On 17.02.2017, the Court did not assemble and the matter was adjourned for today i.e. 24.05.2017.

Today again a request for adjournment was made in the forenoon. The proxy counsel was told that the matter would be taken up for arguments. However, appellants' counsel is not present in Court even at the second call made at 15.38 hours.

In the circumstances, the appeal alongwith pending application is dismissed for non-prosecution.

NAJMI WAZIRI, J.

MAY 24, 2017

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