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

+ **MAC.APP. 455/2008**

NATIONAL INSURANCE CO. LTD

..... Appellant

Through: Mr. Shoumik Mazumdar, Adv.

versus

MUKESH SHUKLA & ORS

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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23.05.2017

CM APPL. 19383-84/2017

The appeal was dismissed in default on 16.01.2017. The application for restoration was filed on 13.04.2017. There is a delay of 57 days in filing the application for restoration. The delay is not explained. The Court notices that because of four consistent defaults in appearance i.e. on 29th August, 3rd October, 22nd December, 2016 and 16th January, 2017, the case was dismissed in default. The ground for restoration provided i.e. that the earlier counsel left the practice is not sufficient ground for allowing the restoration application. The applicant is a large corporation and hence would have the assistance of a battery of lawyers and there must be a system in place for monitoring the progress of its cases. The appellant has chosen not

to follow its case. Accordingly, there is no ground for restoration of the case. The delay is unexplained. In the circumstances, the applications are dismissed.

NAJMI WAZIRI, J

MAY 23, 2017/acm