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

+ **CS(OS) 1387/2015& IA Nos.10387/2015 & 10388/2015**

HARMEET KAUR & ORS ... Plaintiff
Through: Mr Varun Nischal with Mr Sudeep
Sharma, Advocate
versus

GURCHARAN SINGH BABBAR & ORS ... Defendants
Through: Mr Prateek Prabhakar for the Defendant
Nos 1 to 3.
Ms Mansi Bajaj for the Respondent/DDA.
Mr Rajan Sabharwal for the Defendant No.7/North
D.M.C.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **15.11.2017**

IA No.12064/2017

The present application has been filed for discharge by the counsel for the plaintiff. He states that the notice of discharge sent to the plaintiffs 1 to 3 at the addresses mentioned in the plaint have been returned back un-served with the noting that "*the plaintiffs have left the said address*". He states that fresh notice had been sent to the new address of the plaintiffs 1 to 3, but no response has been received from the said plaintiffs. He also states that though the plaintiffs 1 to 3 had been telephonically informed of the notice of discharge, yet they have not contacted him.

He, however, states that the plaintiffs 4 and 5 have been served with the copy of the notice for discharge.

Learned counsel for the plaintiffs states that neither the plaintiffs have furnished the costs nor the address(s) of the un-served defendant No.5.

Keeping in view the aforesaid as well as the fact that no substantial proceedings have taken place in the present suit for the last more than one year, the counsel for the plaintiff is discharged and the suit is dismissed in default and on account of non-prosecution.

All pending applications also stand disposed of.

MANMOHAN, J

NOVEMBER 15, 2017

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