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

+ RFA 687/2017 and C.M. Nos.27634/2017 (condonation of delay),
27635/2017 (stay) & 27636/2017 (exemption)

SUPREME COURT BAR ASSOCIATION

..... Appellant

Through: Mr. Anjani Kumar Mishra, Advocate
with Mr. Sujeet Kumar Mishra,
Advocate.

versus

MAM CHAND SHARMA

..... Respondent

Through: Mr. Sarfraz Ahmad, Advocate with
Ms. Ruchi Jain, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **04.08.2017**

1. This Regular First Appeal under Section 96 of Code of Civil Procedure, 1908 (CPC) is filed by the defendant in the suit impugning the judgment of the trial court whereby the trial court has decreed the suit for a sum of Rs.6,63,591/- alongwith interest @ 14% per annum.

2. Counsel for the appellant states that appellant has filed an application to set aside the exparte judgment and decree and therefore for the present this RFA be not taken up. It is stated that the application under Order 9 Rule 13 CPC has been dismissed and the appellant is in the process

of filing an application to challenge the order dismissing the application under Order 9 Rule 13 CPC.

3. Accordingly, for the present this appeal is disposed of with liberty to the appellant to revive the same on the disposal of the appeal proposed to be filed against the order dismissing the application under Order 9 Rule 13 CPC. It is however made clear that in case the appeal is not brought up by the appellant with respect to the order dismissing the application under Order 9 Rule 13 CPC within the next three months, then, the appeal will be deemed to be dismissed for non-prosecution.

VALMIKI J. MEHTA, J

AUGUST 04, 2017

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