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

+ CS(OS) 2414/2015

POONAM PHORE AND ANOTER Plaintiffs

Through Mr.V.K.Sahni, proxy counsel for
Mr.Anil Kr.Singh, Advocate.

versus

ANOOP MAMTANI Defendant

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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06.07.2017

An injunction granted on 13th August, 2015 was vacated on 11th January, 2016 on the ground that neither the defendant had been served nor the plaintiffs had filed affidavit as required under Order 39 Rule 3 CPC.

Till date, the defendant has not been served.

Moreover, despite the plaintiffs having been granted an opportunity to file an amendment application on 24th August, 2016, no amendment application has been filed till date.

In the morning session the plaintiffs' request for adjournment was declined and the plaintiffs' counsel was directed to be present.

However, even at the pass over stage, request for adjournment is reiterated on the ground that the main counsel is not available.

This Court is of the view that the plaintiffs are not serious in prosecuting their case. Consequently, the same is dismissed in default and on account of non-prosecution.

MANMOHAN, J

JULY 06, 2017

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