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

+ **FAO 60/2016**

ANIL SHARMA

Through **Mr. Rajesh Bhatia, Mr.Devender Kumar, Advs.**

..... Appellant

versus

JAGAT MOHAN

Through **Mr. K.J.S. Kalra, Adv. for R-1**

..... Respondent

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **22.03.2017**

CM 3935/2016

The delay in filing the appeal is condoned. The application is disposed of.

FAO 60/2016

1. The appellant has challenged the order dated 23rd September, 2015 whereby the learned Trial Court dismissed the appellant's application for restoration of the suit.
2. The appellant is seeking restoration on the ground that on 27th July, 2015, the appellant's counsel did not appear due to the lawyer's strike and the appellant was held up in some personal work. This Court is satisfied that the appellant has shown sufficient cause for non-appearance on 27th July, 2015 and therefore, the appellant's suit is liable to be restored.
3. The appeal is allowed and the appellant's suit is restored. Learned counsels for the parties submit that the parties are making an endeavour to amicably settle the matter. In that view of the matter, this case is referred to Delhi High Court Mediation and Conciliation Centre.

4. The parties shall appear before Delhi High Court Mediation and Conciliation Centre on 30th March, 2017 at 4.30 pm.
5. The Delhi High Court Mediation and Conciliation Centre shall send the report of the mediation directly to the Trial Court.
6. The parties shall appear before the Trial Court on 25th May, 2017 at 2.30 pm.
7. Learned counsels for both the parties have noted down the date of appearance of the Trial Court and they waive of requirement of any fresh notice for appearance.
8. Copy of this order be given *dasti* to counsels for the parties under the signature of the Court Master.

J.R. MIDHA, J.

MARCH 22, 2017

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