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

+ RSA 32/2018

BALCHAND

..... Appellant

Through: None

versus

ANIL KUMAR

..... Respondent

Through: None

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **18.07.2018**

1. None appears.
2. A perusal of the order sheet shows that none appeared for the appellant on 07.04.2016, 18.07.2016, 04.11.2016, 27.02.2017, 17.07.2017, 11.10.2017, 15.02.2018 and 27.02.2018.
3. This second appeal as an indigent person was filed impugning the judgment and decree (dated 3rd June, 2014 in RCA No.10/2011 of the Court of Additional District Judge, West) of dismissal of first appeal under Section 96 of the CPC preferred by the appellant against the judgment and decree (dated 23rd November, 2010 in CS No.406/2006 of the court of Civil Judge-03, West) decreeing the suit of the respondent/plaintiff against the appellant/defendant, only for recovery of Rs.84,000/- along with interest.
4. This appeal along with the application to appeal as an indigent person came up before this Court first on 22nd August, 2014, when enquiry into the indigency of the appellant was ordered.

5. Vide order dated 15th February, 2018, though in the absence of any party or advocate, on the basis of the report dated 15th October, 2014 of the Registrar (Appellate), the appellant was permitted to appeal as an indigent person and the second appeal was ordered to be registered. Vide subsequent order dated 27th February, 2018, again in the absence of any party or advocate, court notice was ordered to be issued to the appellant. The court notice has not been issued. However, for the reason of long absence of the appellant, it is not deemed appropriate to keep this appeal pending.
6. Dismissed in default.

RAJIV SAHAI ENDLAW, J

JULY 18, 2018
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