

\$~R-45

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

+ RFA 169/2006

M/S AGARWAL DISTRIBUTORS(PVT.) LTD.

..... Appellant

Through: None.

versus

M/S KODAK INDIA LTD.

..... Respondent

Through: Counsel (appearance not given)

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **06.08.2018**

1. No one appears for the appellant. The same counsel who was appearing for the appellant in this case was also a counsel in RFA 94/2006 wherein the respondent in this appeal was also the respondent in that appeal. RFA 94/2006 has been dismissed in default on 31.07.2018.

2. Since no one appears for the appellant, this appeal is dismissed in default and for non-prosecution.

3. Let no application for recall/restoration of this order be entertained by the Registry of this Court unless costs of Rs.15,000/- are first paid to the counsel for the respondent.

4. The amount, if any, deposited in this Court by the appellant has been released to the respondent on furnishing security. Since the appeal is

dismissed by today's order, the security which is given by the respondent is discharged.

VALMIKI J. MEHTA, J

AUGUST 06, 2018