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

+ **RFA 229/2006**

MODERN NEW KAPOOR JEWELLERS

..... Appellant

Through None.

versus

NEW INDIA ASSURANCE CO. LTD.

..... Respondent

Through Mr. P.K. Seth, Advocate (Mobile No. 9811055345).

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **12.09.2018**

1. No one appears for the appellant. This matter is on the Regular Board of this Court since 3.7.2018. By the impugned judgment trial court has dismissed the suit filed by the appellant/plaintiff for recovery of moneys against the insurance company including by holding that appellant/plaintiff was not careful and which resulted in the loss of the insured goods being gold. Trial court has also rejected the case of the appellant/plaintiff that it was not aware of the terms and conditions of the insurance policy under which the insurance was taken.

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

3. Let no application for restoration/recall of this order be entertained unless costs of Rs.15,000/- are first paid to the website www.bharatkeveer.gov.in and a further sum of Rs.15,000/- to be paid to counsel for the respondent.

VALMIKI J. MEHTA, J

SEPTEMBER 12, 2018

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