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

+ RFA 316/2006

M/S LAKSHMI TEXTILES MILLS Appellant
Through: None.

versus

M/S J.S.M. BAGS AND GIFTS PVT. LTD. Respondent
Through: None.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **19.09.2018**

1. This matter is on the Regular Board of this Court since 3.7.2018. It is 1.10 P.M. No one appears for the appellant.
2. The challenge by this appeal was to the impugned judgment and decree dated 27.1.2006 whereby a money decree was passed in favour of the respondent/plaintiff. The appellant/defendant had to deposit for stay of operation of the impugned judgment a sum of Rs.85,100/- with interest @ 12% from the date of institution of the suit but since the appellant/defendant did not deposit this amount C.M. No.5132/2007 was dismissed and respondent was at liberty to execute the impugned judgment and decree.
3. From the above facts, it is clear that appellant is not interest in

pursuing the appeal and in any case no one appears for the appellant.

4. This appeal is therefore dismissed in default and for non-prosecution. Let no application for restoration/recall of this order be entertained unless costs of Rs.20,000/- are first deposited by the appellant with the website www.bharatkeveer.gov.in.

VALMIKI J. MEHTA, J

SEPTEMBER 19, 2018

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