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

+ RSA 43/2018

RIASHA SHARMA & ANR

..... Appellants

Through: Dr. Ashwani Bhardwaj, Adv.

Versus

OM PRAKASH SHARMA

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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04.02.2019

CM No.5281/2019 (of the appellants for recall of order dated 12th December, 2018)

1. Recall of order dated 12th December, 2018 dismissing this appeal for non-prosecution is sought by engaging a new counsel.
2. Merely on account of new counsel appearing and blaming the earlier counsel, orders cannot be recalled. Unless consequences provided in law for failing to prosecute a matter follow, the litigants will continue to engage advocates who are subsequently blamed and the advocates who subsequently appear blaming the earlier counsel will never be engaged in the first instance by the litigants.
3. Even otherwise, this application has come up today for the first time after a long span of time from the date when the appeal was dismissed for non-prosecution and when the appellants were present in person before this Court. The appellants thus had knowledge of the dismissal of the appeal for non-prosecution but still have filed this application after undue delay.

Dismissed.

RAJIV SAHAI ENDLAW, J.

FEBRUARY 04, 2019/‘gsr’..