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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 2602/2012 & IA No.15540/2012 (u/O XXXIX R-1&2 CPC)
ASHOK KUMAR OBERAI Plaintiff

Through: None.

Versus

MANJEET SINGH & ORS Defendants

Through: Mr. Pratap Kumar Bhardwaj, Adv. for
LRs of D-1.

Ms. Vinny Shangloo, Adv. for D-2.

Mr. M.S. Saluja, Adv. for D-3.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **12.04.2018**

1. In this suit for specific performance of an Agreement to Sell of immovable property and in the alternative for recovery of damages and for declaration of the documents *inter se* defendants no.1 and 2 as null and void, only the counsel for the LRs of deceased defendant no.1 Manjeet Singh, the counsel for defendant no.2 Harish Katyal and the counsel for the defendant no.3 The Nainital Bank Ltd. appear.
2. None appears for the plaintiff.
3. None appeared for the plaintiff on the last two dates i.e. 8th November, 2017 and 12th January, 2018 also.
4. The counsel for the defendant no.2 states that plaintiff had filed FAO(OS) No.167/2017 against the orders dated 20th December, 2016, 13th February, 2017 and 15th May, 2017 closing the evidence of the plaintiff and listing the suit for

final arguments and which appeal was dismissed vide judgment dated 29th August, 2017.

5. Dismissed in default.

6. In view of the above, it is also not deemed appropriate to proceed with CCP(O) No.50/2014, filed by the defendant no.2. The same is also dismissed.

RAJIV SAHAI ENDLAW, J

APRIL 12, 2018

‘gsr’..