

\$~15

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(OS) 3939/2014**

ANJALI SETH Plaintiff

Through: None.

versus

PREM SETH & ANR Defendants

Through: Ms. Aditi Gupta, Adv. for D-1 & 2.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **19.07.2018**

I.As. 3961/2018 (for setting aside the order) & 3962/2018 (for delay)

The Defendants had not appeared on a few occasions and this Court had on 17th January, 2017 proceeded the Defendants ex-parte. However, after the passing of order dated 17th January, 2017, counsel for the Defendants continued to appear, without seeking setting aside of the ex-parte order. Under these circumstances, order dated 17th January, 2017 proceeding the defendants *ex-parte* is recalled.

Applications are disposed of.

CS(OS) 3939/2014 & I.A. 25738/2014

The Plaintiff has not been appearing on the last two occasions. On 20th February, 2018, the counsel for the Plaintiff also sought discharge which was also granted. The counsel for the Defendants submits that the Plaintiff is a proclaimed offender and may have therefore stopped appearing. Under these circumstances, the suit is dismissed for non-prosecution.

PRATHIBA M. SINGH, J

JULY 19, 2018/Rahul