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

+ RFA 21/2017

MAHENDER KUMAR BHATNAGAR Appellant
Through: None.

Versus

PANKAJ KUMAR Respondent
Through: Ms. Satwinder Kaur, Advocate.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **09.08.2018**

1. No one appears for the appellant. This appeal is against the impugned judgment and decree dated 22.8.2016 by which the suit filed by the respondent/plaintiff was decreed for a sum of Rs.5 lacs alongwith pendente lite and future interest @ 10% per annum.

2. On 14.5.2018, 23.2.2018, 11.1.2018 and 15.12.2017 adjournments were granted on these last four dates at the request of the appellant. It may be noted that in spite of repeated orders, appellant has not deposited the decretal amount and which was a pre-condition for stay of operation of the impugned judgment and decree, and therefore, the

application for stay being C.M. No.524/2017 was dismissed vide order dated 15.12.2017.

3. Since no one appears for the appellant, this appeal is 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 paid to the respondent.

VALMIKI J. MEHTA, J

AUGUST 09, 2018

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