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

+ RFA 89/2017 & CMs 3033/2017 (delay) & 3034/2017 (stay)

AZAD SINGH

..... Appellant

Through: None.

versus

SRI BHAGWAN

..... Respondent

Through: Mr. Rajesh Gupta, Mr. Harpreet Singh, Mr. Pranjal Saran and Mr. M.C.Verma, Advocates.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **26.07.2018**

1. On the last date of hearing being 17.4.2018, an adjournment was sought on behalf of the appellant as the main counsel for the appellant was said to be in difficulty. Even earlier on 30.1.2018, the appellant had sought an adjournment. On the earlier date on 14.11.2017, the court records that on the application for condonation of delay being CM 3033/2017 no steps were taken by the appellant for service of the respondent, and steps were only subsequently taken for 30.1.2018.

2. Since no one appears for the appellant, the appeal is dismissed in

default and for non-prosecution.

3. Let no application for restoration/recall of this order be entertained by the Registry of this Court unless costs of Rs.5000/- are first paid to the respondent.

VALMIKI J. MEHTA, J

JULY 26, 2018

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