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

+ RFA 305/2007

SANJEEV MALIK

.....Appellant

Through: None.

versus

FUJI INTERNATIONAL LTD. & ORS.

..... Respondents

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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11.02.2019

1. No one appears for the appellant although it is 2.45 PM. This case is on the Regular Board of this Court since 22.10.2018.
2. This appeal impugns the judgment of the Trial Court dated 17.2.2007 by which the trial court has decreed the suit filed by the respondent no.1/plaintiff for an amount of Rs.16,70,097/- alongwith interest at 12% per annum. When the notice was issued in this appeal and stay was granted of the impugned judgment and decree, the same was subject to deposit of the decretal amount as stated in the order dated 28.5.2007. Since the decretal amount was not deposited therefore CM No.7742/2007 was dismissed by a Division Bench of this Court vide order dated 23.10.2007.

3. It is therefore clear that the appellant is not serious in pursuing the appeal. This appeal is therefore dismissed in default and for non-prosecution.

4. Let no application for recall/restoration of this order be entertained by the Registry of this Court unless costs of Rs.25,000/- are first deposited with the website www.bharatkeveer.gov.in .

VALMIKI J. MEHTA, J

FEBRUARY 11, 2019

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