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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CS(COMM) 105/2016, IA No.2092/2016(u/O.XXXIX R.172 CPC) &**
IA No.1496/2017(u/O.VI R.17 CPC)
SAUDI BASIC INDUSTRIES CORPORATION Plaintiff
Through: Mr. Asit Tewari, Adv.
Versus
BAJAJ PRINTERS & PACKERS & ORS Defendants
Through: Mr. Basant Agrawal, Adv.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **13.02.2020**

1. Mr. Saurabh Prakash, Advocate, earlier appearing for the defendants, seeks discharge from further appearance and is discharged.
2. Mr. Basant Agrawal, Advocate appears for the defendants.
3. This order is in continuation of the earlier orders dated 13th November, 2018, 27th February, 2019 and 14th May, 2019.
4. No application for amendment of the plaint, for filing whereof adjournment was taken on 14th May, 2019, has come before the Court till now, in spite of more than eight months having elapsed therefrom.
5. The counsel for the plaintiff, today also states that “because the plaintiff is in Saudi Arabia, the application is in the process”.
6. The suit is for recovery of money and if the plaintiff, for the reason of being in Saudi Arabia, is not in any urgency and cannot take the requisite steps in spite of such long time having been lapsed, there is no option but to dismiss the suit for non-prosecution.

7. Opportunity has been given to the counsel for the plaintiff to, if wants to argue anything further, address the Court, but nothing fresh for consideration today has been argued.
8. Suits, specially commercial suits, cannot be kept pending in this fashion.
9. The counsel for the plaintiff states that the plaintiff's right will be scuttled.
10. The scuttling if any of the rights, is by the plaintiff itself, by in spite of filing the suit, not pursuing it diligently.
11. Dismissed for non-prosecution.

RAJIV SAHAI ENDLAW, J

FEBRUARY 13, 2020

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