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

+ **RFA 30/2008 & CM APPL. 6470/2008**

TRIM INDIA P.LTD.

.....Appellant

Through: None.

versus

AVON TUBETECH P.LTD.

.....Respondent

Through: Mr. Pankaj Gupta, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

03.12.2024

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1. None has appeared for the appellant despite the matter being called out on various dates i.e., 22.10.2024, 28.10.2024, 05.11.2024, 11.11.2024, 18.11.2024 and 25.11.2024
2. The daily cause list published on the website of this Court clearly reflects a note for advocates and litigants that regular matters mentioned in the cause list shall be taken up after the supplementary and advance list is over. The physical display Board of this Court as well as the virtual display Board also clearly reflects that regular matters are being called and taken up for hearing.
3. Despite aforesaid, it is disheartening to see that for the matters listed in the regular list, neither the advocates nor the litigants are appearing before this Court.



4. The Court cannot be oblivious of the fact that due to repeated listing of these cases, wherein, no one appears to pursue the matter, sufficient judicial time and resources are utilized which can effectively and thoughtfully be used for the cases wherein pressing issues of indispensable importance are canvassed before this Court. Because of repeated listing of these cases, the other cases are not being called out, causing significant prejudice to the litigants.

5. Be that as it may, this is the seventh consecutive date when appellant had not appeared to pursue this case.

6. Therefore, since none appeared on behalf of the appellant, the instant appeal, along with the pending application(s), is dismissed for want of prosecution.

7. Since the appeal is dismissed for want of prosecution, therefore, liberty is reserved in favour of the respondent to press for cross objection/appeal, in case, the appeal is revived.

8. At this stage, the cross objection also stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

DECEMBER 03, 2024/P