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

+ **CS(OS) 281/2022 & I.A. 7726/2022**

RAJ KUMAR MADHIAN

.....Plaintiff

Through: **Mr. S. Khan, Advocate (Through VC)**

versus

SH. SRI CHAND MADHIAN & ORS.

.....Defendants

Through: **None**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

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15.07.2024

1. The plaintiff is not present in person, despite the directions vide order dated 10.07.2024.
2. Mr. S. Khan, Advocate has joined the proceedings through video conferencing link and is seeking an adjournment in the present matter. His *vakalatnama* is not on record and the said submission is a reiteration of the request made by him on the previous date of hearing i.e. 10.07.2024. At his request, the matter was adjourned on the last date of hearing.
3. The record evidences that the plaintiff in the past two (2) years has elected not to file process fee and hence summons to the defendants in the suit could never be issued by the registry. The continuation of the present suit therefore appears to be for oblique motives.
4. In view of the aforesaid facts, the present suit is dismissed under Order IX Rule 2 of the Code of Civil Procedure (CPC). All pending applications as well stand dismissed.



5. In the event, the plaintiff elects to file an application for restoration, the same will be considered in accordance with law, subject however, to minimum costs of Rs. 25,000/-.

MANMEET PRITAM SINGH ARORA, J

JULY 15, 2024*/rhc/ms*