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

+ RFA 392/2008 and CM APPL. 53197/2022

ASSAM BENGAL ROADWAYS LTD.

.....Appellant

Through: None.

versus

GOYAL ENGINEERS P.LTD. & ORS.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

05.12.2024

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1. None has appeared for the appellant despite the matter being called out on various dates i.e., 05.11.2024, 12.11.2024, 20.11.2024 and 27.11.2024.
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 fifth consecutive date when appellant has not appeared to pursue this case.

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

7. The bank guarantee furnished by the respondents shall stand discharged.

PURUSHAINDR KUMAR KAURAV, J

DECEMBER 5, 2024/MJ