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

+ RFA 30/2019 and CM APPL. 1740/2019

C L SHARMA

.....Appellant

Through: None.

versus

G S SHARMA

.....Respondent

Through: Mr. R.K. Bedi, Advocate.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

10.03.2025

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1. This appeal is preferred on behalf of the Appellant challenging the impugned judgment/decreed dated 10.09.2018 passed by the learned Trial Court in *Suit No. 612469/2016*, titled '*Sh. C.L. Sharma v. Sh. G.S. Sharma*'.

2. Order sheets indicate that on 18.10.2024, there was no appearance on behalf of the Appellant and the same position prevailed on 25.04.2024. In the interest of justice, Court notice was issued to the Appellant on 18.10.2024 returnable for today making it clear that in the event Appellant was unrepresented on the next day, it may be assumed that he is not interested in prosecuting the appeal.

3. There is no appearance on behalf of the Appellant even today. With respect to the Court notice, the office report indicates that Appellant no longer resides at the address given in the memo of parties. However, counsel for the Respondent submits that Appellant has not diligently prosecuted the appeal and even assuming there was a change in address, it was his



obligation to intimate the correct address by filing an appropriate application and/or intimating his counsel so as to update the record. It is thus urged that the appeal be dismissed.

4. Order sheets indicate that Appellant has not diligently prosecuted the appeal and as rightly submitted by counsel for the Respondent, he has been negligent in not intimating the change of address, if any. I am of the view that Appellant is no longer interested in prosecuting the appeal and the same is accordingly dismissed for non-prosecution and in default.

5. Pending application stands disposed of.

JYOTI SINGH, J

MARCH 10, 2025

S.Sharma