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

+ **CS(OS) 587/2009 & CRL.M.A. 7611/2017**

M/S BGH EXIM LTD.

.....Plaintiff

Through: None.

versus

M/S ASIAN FERTILIZERS LTD.

.....Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% 28.01.2025

1. None has appeared for the parties despite the matter being called out on various dates i.e., 07.01.2025, 15.01.2025, and 21.01.2025.
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 to the fact that due to the 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 fourth consecutive date when the parties have not appeared to pursue this suit.

6. Therefore, since none appeared on behalf of the parties, the instant suit stands dismissed under in terms of Order 9, Rule 3 of the Code of Civil Procedure.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 28, 2025

Nc/sp