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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **MAC.APP. 784/2018**
M/S CARZONRENT PRIVATE LIMITEDAppellant

Through: Mr. Manjeet Godara, Advocate.
versus

IFFCO TOKIO GENERAL INSURANCE CO LTD
& ORSRespondents

Through:

CORAM:
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER
25.08.2025

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CM APPL. 52680/2025 [Condonation of delay]

1. This is an Application filed on behalf of the Appellant seeking condonation of delay of 58 days in filing the restoration Application.
2. For the reasons as stated in the Application, the delay is condoned.
3. The Application stands disposed of.

CM APPL. 52679/2025 [Restoration]

4. This is an Application filed on behalf of the Appellant seeking restoration of the present Appeal which was dismissed for non-prosecution on 19.05.2025.
5. It is the contention of the Appellant that the matter was being diligently pursued the Appeal and and there was only a solitary default in appearance of the counsel which led to the dismissal of the Appeal.

Paragraph 4 of the present Application is set out below:

“4. That the Appellant has been diligently pursuing the appeal and there was only a solitary default in appearance on the part of the counsel for the appellant, which led to the dismissal of the appeal. The Appellant craves the indulgence of this Hon'ble Court for restoration of the appeal



in the interest of justice.”

6. This does not reflect from the record. The orders dated 28.02.2023, 29.01.2024, 06.09.2024 and 09.12.2024 show that the Appellant had taken repeated adjournments. On 01.04.2022, none appeared for the Appellant. Even prior thereto, adjournment requests were made by the Appellant. It is apposite to set out the relevant extracts of these orders below:

“01.04.2022

1. The matter pertains to the list of easements instituted upto the year 2020.

2. Present none for the appellant.

3. Re-notify on 28.02.2023.

28.02.2023

At request of learned counsel for the appellant, list on 12.09.2023.

29.01.2024

Learned counsel for the appellant seeks a short adjournment.

06.09.2024

At request of learned counsel appearing on behalf of the appellant, list on 9th December, 2024.

09.12.2024

An adjournment is sought on behalf of the learned counsel for the Appellant.”

[Emphasis Supplied]

7. This Court, after examining the record, found that there was no appearance on behalf of the Appellant or only adjournment requests were made on behalf of the Appellant on the previous dates of hearing, and dismissed the Appeal for non-prosecution on 19.05.2025.

8. No grounds for restoration are shown in the present Application.

9. The Application is accordingly dismissed.

10. The parties shall act based on the digitally signed copy of the order.

TARA VITASTA GANJU, J

AUGUST 25, 2025/ ha