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

+ **CS(COMM) 411/2017**

CLIX FINANCE INDIA PRIVATE LIMITED

.....Plaintiff

Through: None.

versus

DR K.M VEERAPPA REDDY & ORS

.....Defendants

Through: Mr. Lalit Gupta and Mr. Priyansh Jain, Advocates for D-3.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

07.04.2025

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1. None for Plaintiff.
2. On 29.01.2024, learned Joint Registrar had recorded that at 12:15 P.M., there was no appearance on behalf of the Plaintiff despite repeated calls and the matter was passed over for 12:45 P.M. At 12:45 P.M., again when the matter was taken up, none was present on behalf of the Plaintiff despite repeated calls. It was further noted in the matter that the matter is pending disposal since 2017 and is still at the stage of Plaintiff's evidence. In the interest of justice, learned Joint Registrar did not pass any adverse order and last and final opportunity was granted to Plaintiff to lead the evidence. It was observed that no further adjournment will be granted in future unless absolutely necessary. Matter was re-notified for further cross-examination of PW1/PE on 09.07.2024 at 12:00 noon.
3. On 09.07.2024, the learned Joint Registrar again recorded that there



was no representation on behalf of the Plaintiff and even Plaintiff's witness i.e., PW1 was not present and even list of witnesses had not been filed. Accordingly, Plaintiff's evidence was closed and the matter was listed for Defendants' evidence on 09.10.2024, directing Defendants to file their list of witnesses and affidavit of evidence. Since then, as reflected in the order sheets, Plaintiff has not been appearing. In this backdrop, matter has been placed before the Court by the learned Joint Registrar for further directions.

4. Learned counsel for Defendant No. 3 emphasises that the suit be dismissed for non-prosecution.

5. Looking at the conduct of the Plaintiff reflected from various orders passed by the learned Joint Registrar from time to time, this Court is of the opinion that Plaintiff is no longer interested in prosecuting the suit and the same is accordingly dismissed for non-prosecution and in default.

JYOTI SINGH, J

APRIL 7, 2025
S.Sharma