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

+ RFA 223/2010

LM KHOSLA

.....Appellant

Through: None.
versus

HIND ARI LINK PVT LTD & ANR

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

28.01.2026

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1. This hearing has been done through hybrid mode.
2. The present appeal under Section 96 of the CPC seeks the following prayers: -

“In view of the above submissions, it is manifestly established that the impugned judgment and decree dated 15.01.2010 passed by the learned Trial Court is neither based on the testimony of the parties nor the documents placed before the learned Trial Court and the learned court has committed a serious error of facts by ignoring the entire material placed on record and treating the appellant's evidence as a defensive against an act to be taken in future by the respondent against him.

It is, therefore, respectfully prayed that the impugned judgment and decree dated 15.01.2010 passed in C.S. No. 267/09 in the case titled "Shri L.M. Khosla Vs. M/s. Hind Air Link Pvt. Ltd. & Anr." Passed by the court of Shri D. C. Anand, learned ADJ, Delhi may kindly be recalled and set aside and the appeal be accepted with costs and the suit of the appellant be decreed, as prayed.

Costs of the appeal be also awarded.

Such other or further order(s) which this Hon'ble Court may deem



fit and proper be also passed in favour of the appellant and against the Respondent.”

3. None appears on behalf of the appellant today.
4. None had appeared on behalf of the appellant on 07.09.2011, 29.11.2024, 04.12.2024, 11.12.2024, 16.12.2024, 17.12.2024, 10.02.2025, 17.04.2025, 16.09.2025 as well.
5. Report with regard to the Court notice issued to the appellant *vide* order dated 17.04.2025 returnable for 16.09.2025, has come back unserved with remarks, “unserved (no such person at the given address)”.
6. In view of the above, the present appeal is dismissed in default for non-prosecution and disposed of accordingly.
7. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

JANUARY 28, 2026/bsr