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

+ RFA 256/2010

NEELAM & ORS

.....Appellants

Through: None.

versus

HARYANA BREWERIES LTD & ORS

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

04.02.2026

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1. This hearing has been done through hybrid mode.
2. The present appeal under Section 96 read with Order XLI read with Section 151 of the CPC, seeks the following prayers:-

It is therefore most respectfully prayed that this Hon'ble Court may kindly be please to allow the appeal and set aside the judgement and decree dated 23.01.2010 passed by Learned Additional District Judge, Delhi in Civil Suit No. 89 of 2009 titled as Haryana Breweries Ltd Vs M/s. Laxmi Sales & ors and dismissed the suit of the respondent no.1 or pass such further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

3. On 21.04.2025, the learned Predecessor Bench of this Court had passed the following order:-

“1. Learned counsel for the appellants submits that he has been unable to seek instructions from his clients. He submits that as per his information, appellant no.1 has already expired. However, he has not been receiving any instructions from the other appellants.



2. None appears for the respondents.
3. Accordingly, issue Court Notice to the appellants, as well as to the respondents, by all modes, including, through speed post, returnable on 10th September, 2025.”
4. Report with regard to notice issued has come back ‘unserved’ with the following remarks:-
 - (i) Appellant No. 1- Unserved (incomplete address)
 - (ii) Appellants No. 2 and 3 - both unserved (addressee said to be expired)
 - (iii) Appellant No. 4- unserved (no such person)
5. None appears on behalf of the appellants.
6. There was no appearance on behalf of the appellants on the last date of hearing as well, *i.e.*, 10.09.2025.
7. In view of the above, the present appeal is dismissed in default for non-prosecution and disposed of accordingly.
8. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 4, 2026/ar/db