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

+ RFA 594/2010

GD KATARIA

.....Appellant

Through: None.

versus

AVL LEASING & FINANCE LTD

.....Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

30.03.2026

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

“a) Summon the trial court record pertaining to the impugned judgment/decree ;

b) Set-aside the Impugned Judgment / Decree dated 23.01.2010, passed by the Ld. Trial court in Suit No.179/09;

b) Pass any other further order as this Hon'ble Court may deem fit and proper.”

3. None appears on behalf of the appellant.

4. *Vide* order dated 15.02.2011, learned Predecessor Bench had observed as under:-

+ **CM NO.1830/2011**

This is an application filed by the respondent seeking directions of the Court to the appellant.

Application stands dismissed as not pressed, however, it is made clear that there is no stay in the matter and the



respondent/applicant is free to execute the decree in accordance with law.

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Both parties pray that Trial Court Record may be summoned. Accordingly, let the trial court record be summoned before the next date of hearing.

At joint request, adjourned to 4.4.2011.”

5. There has been no appearance on behalf of the appellant on the previous dates of hearing as well i.e. 11.12.2024, 17.12.2024, 10.02.2025, 06.05.2025 and 10.11.2025.
6. Report with regard to court notice issued to the appellant vide order dated 06.05.2025 has come back unserved with remarks ‘no such person at the given address’.
7. In these circumstances, the present appeal is dismissed in default for non-prosecution and disposed of accordingly.
8. Pending application(s), if any, also stands disposed of.
9. Order be uploaded on the website of this Court, *forthwith*.

AMIT SHARMA, J

MARCH 30, 2026/nk