



\$~36

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

+ RFA 449/2010

HARVINDER SINGH SETHI

.....Appellant

Through: None.

versus

NATIONAL BUILDING CONSTRUCTION CORPORATION LTD

.....Respondent

Through: Mr. Debarshi Bhadra, Adv. through
Vc.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

13.02.2026

%

1. This hearing has been done through hybrid mode.
2. The present appeal under Order 41 Rule 1 read with Section 96 of the CPC, 1908 seeks the following prayers: -

“(a) set aside the impugned judgment and decree dated 18.02.2010 made by Mr. A. K. Chawla, Additional District Judge (19 Central), Delhi in suit No. 137 of 2006 titled as (Mr. Harvinder Singh Sethi Vs. National Building Construction Corporation Ltd.) relating to dismissal of claim of appellant of sum of Rs.531440/- and 18% interest on it and reducing the interest by 9% on the balance decreed sum and decree the suit for the amount claimed in suit.

(b) make any other order or orders as the Hon'ble Court may think fit & just in the circumstances of the case;

(c) allow the cost of this appeal.”

3. None appears on behalf of the appellant today.
4. *Vide* order dated 17.12.2024, learned Predecessor Bench of this Court had made the following observations: -



- “1. There is no appearance on behalf of the parties.
2. None has appeared for the parties despite the matter being called out on various dates i.e., 29.11.2024, 05.12.2024 and 11.12.2024. This is the fourth consecutive date when no one appears on behalf of the parties. In the interest of justice, adverse orders stand deferred.
3. Let this appeal be listed after six weeks in due course by the Registry.”
5. On 30.04.2025, Court notice was issued to the parties and the same returned with the following remarks: -
- “Court notice issued to parties:
Ordinary: Appellant- Unserved (no such person), Respondent NBCC - Served at Lodhi Road
Delhi address.
Speed Post-Appellant- Unserved (no such person), Respondent - at Lodhi Road Delhi- awaited,
at Kaushambi address- unserved (reason not mentioned)
Courier: Service not confirmed from tracking report.”
6. There is no appearance on behalf of the appellant on the last dates of hearing as well i.e., 30.04.2025 & 14.10.2025.
7. In these circumstances, the appeal is dismissed in default for non-prosecution and disposed of.
8. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

FEBRUARY 13, 2026/kr/ah