

22.05.2024

Present: Ms. Akansha Singh, Ld. Counsel for plaintiff
through VC with AR in person

Heard. File perused.

Perusal reveals that vide detailed orders passed by this Court on the last date of hearing i.e. on 15.01.2024, AR for the plaintiff was allowed to be substituted and directions have been issued by the Court to the plaintiff for making good the requisite compliance.

On the previous date of effective hearing i.e. 26.07.2023, last and final opportunity was granted to the plaintiff to ensure appearance of the AR for putting signatures on each and every page of the plaint as mandatory requisite as per Commercial Courts Act, 2015. Thereafter, on the subsequent date i.e. on 15.01.2024, the substitution of AR was allowed. However, plaintiff did not comply either of the orders. Today, again neither AR nor Counsel for the plaintiff is present in person for onward compliance of the orders. Furthermore, even steps have not been taken by the plaintiff to ensure compliance of the afore-cited orders of the Court.

The Court is of the considered view that adequate ground is made out at this stage to dismiss the case for non prosecution. However, in the larger interest of justice, the case is being considered in terms of the non compliance as per directions of the *Hon'ble High Court of Delhi in case titled 'Namita Gupta Vs.*

***Suraj Holdings Limited' in CM(M) 457/2023 & CM APPL.
13615/2023 dated 09.01.2024***

Accordingly, the plaint be returned. File be consigned to record room.

(Preeti Agrawal Gupta)
District Judge (Commercial Court)-01
North-West, Rohini, Delhi.