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

+ RFA(OS) 10/2011

MUKESH TEMPO SERVICE ..... Appellant  
Through: Mr.Anunay Mehta, Adv.

versus

NATIONAL INSURANCE CO LTD & ORS ..... Respondents  
Through: Mr.Pankaj Seth, Adv. for R1.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MS. JUSTICE ASHA MENON**

**ORDER**

% **04.07.2019**

1. Pursuant to the notice of default issued to the appellant and the respondents, appearance is entered by Mr. Anunay Mehta, learned counsel for the appellant/defendant and Mr. Pankaj Seth, learned counsel for the respondent No.1/plaintiff No.1.
2. As per the office report, respondent No.2/plaintiff No.2 remains unserved since the address mentioned in the memo of parties, is incorrect.
3. Learned counsel for the appellant states that the suit was instituted by both the respondents/plaintiffs jointly and, therefore, the counsel appearing for the respondent No.1 should also enter appearance on behalf of the respondent No.2.
4. Learned counsel for the respondent No.1 submits that he may be given some time to obtain instructions for filing a Power of Attorney on behalf of both the respondents. Both sides seek time to obtain a certified

copy of the paper book.

5. At this stage, learned counsel appearing for the appellant earlier, through whom this appeal was filed, seeks discharge in view of the fact that a new counsel has entered appearance on behalf of the appellant.

6. At his request, the previous counsel is discharged.

7. At joint request, list on 06.11.2019 in the category of '*After Notice Miscellaneous Matters*'.

**HIMA KOHLI, J.**

**ASHA MENON, J.**

**JULY 04, 2019**  
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