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

+ RFA 127/2021

PARAMJEET SINGH

.....Appellant

Through: Counsel for Appellant (appearance
not given)

versus

GURU CHARAN DASS & ANR.

.....Respondents

Through: Mr. Manoj Kumar, Mr. Mathur Karan
Kumar, Advocates for Respondent
no. 1.

Respondent No. 1 in person.

Ms. Nandadevi Deka Adv, Mr.
Shashwat Pratyush Adv, Ms. Shubhra
Sharma Adv. for R2.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **27.03.2026**

CM APPL. 20174/2024 (for Restoration)

1. Application under Order XLI Rule 19 read with Section 151 CPC, has been filed on behalf of the Appellant for setting aside the Order dated 22.02.2024 whereby the accompanying Appeal was dismissed in default and to restore its original number.
2. The explanation given for non-appearance of 22.02.2024 is that Mr. Ashutosh Gupta Advocate, the main counsel was busy in the family event i.e. marriage anniversary at Banke Behari Temply at Vrindavan and was out of station. His entire staff was also attending the function because of which, the learned counsel for the Appellant, was unable to appear.
3. Learned counsel for the Respondent No. 1 has stated that the conduct



of the Appellant on all the dates, reflects that they have been only delaying the accompanying Appeal and have been taking adjournments on one pretext or the other. There is no genuine reason disclosed in the Application and the same may be dismissed.

4. Learned counsel for the DDA has no objection if the Application is allowed.

Submissions heard and the record perused.

5. The explanation given for non-appearance of the learned counsel for the Appellant, is that he was busy in his own marriage anniversary at Banke Behari Temple.

6. Considering the submissions made, the Application is allowed and the dismissed in default order dated 22.02.2024 is set aside subject to cost of Rs.25,000/-, to be paid to the Respondent No. 1.

7. Be listed on 23.09.2026.

8. Written submissions be filed by both the parties within eight weeks failing which the same shall be accepted subject to cost of Rs.25,000/- with the Delhi High Court Advocates' Welfare Trust.

9. E-Trial Court Record be summoned for the said date.

NEENA BANSAL KRISHNA, J

MARCH 27, 2026/RS