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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2331/2024**
M/S APEX INTERNATIONAL CONSTRUCTIONS AND ANR

.....Petitioner

Through: None.
versus

NAMITA BAJAJ AND OTHERS

.....Respondent

Through: Mr. Nitin Mittal, Advocate.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **29.05.2025**

CM APPL. 34636/2025(for vacation of stay)

1. The present application has been filed by the respondent/plaintiff who seeks vacation of stay.
2. It is submitted that plaintiff, merely, seeks to recover her salary dues and the defendant Company remained *ex-parte* and, when the case was at the stage of final arguments, an application was moved under Order VII Rule 10 CPC which was dismissed by the learned Trial Court.
3. It is submitted that when the matter was taken up by this Court on 10.04.2024, this Court had directed learned Trial Court to defer the hearing.
4. It is submitted that there is no merit in the present petition and because of the abovesaid order, the disposal is getting delayed.
5. It is in the aforesaid backdrop that there is request for vacation of stay.
6. Despite advance notice, there is no appearance from the side of

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petitioner, which is not appropriate.

7. Petitioner, once granted some indulgence, cannot be permitted to play any hide-and-seek game with the Court. Further it was expected that since there is a due service upon for them, there was some representation from their side.

8. However, at the same time, it will not be appropriate for this Court to decide the present petition without hearing the petitioner and, therefore, application is disposed of with the direction that the next date fixed i.e. 10.10.2025, is cancelled and the matter would be taken up on 15.07.2025.

9. Since a very short point is involved, the matter be shown in supplementary list.

MANOJ JAIN, J

MAY 29, 2025/sw/PB