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

+ **W.P.(C) 2434/2007**

GURUDHIYAN SINGH RANA

..... Petitioner

Through: Mr. Advocate [appearance not given]

versus

INDOMAG STEEL TECHNOLOGY LTD.

..... Respondent

Through: Dr. Lalit Bhasin with Devvrat Tiwari
and Ajay Pratap Singh, Advs.

CORAM:

HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORDER

% **01.07.2024**

CM Appl.35958/2024/Condonation of delay in re-filing/

1. This is an Application filed on behalf of the Petitioner seeking condonation of delay in re-filing the restoration Application.
2. Learned Counsel for the Petitioner submits that the said Application could not be filed on time because the clerk of the learned Counsel for the Petitioner has been unwell for the last three months and continues to be unwell. He seeks to rely upon paragraph 4 of the Application in this regard.
- 2.1 Learned Counsel for the Petitioner further submits that the delay is on account of the Counsel and the Petitioner should not suffer for the same.
3. Issue Notice. Learned Counsel for the Respondent accepts Notice and submits that he has no objection if the Application is allowed.
4. Accordingly, the Application is allowed.

CM Appl.35778/2024/Recalling the order dated 22.02.2024/

5. Learned Counsel for the Petitioner submits that the Rule in the matter was issued on 27.10.2010. He submits that the Petitioner is a poor person living in Himachal Pradesh and had come to Delhi to attend the proceedings,



however, on account of the farmers agitation, the entry to G.T. Karnal Road was blocked and hence, the Petitioner could not reach the Court on time.

5.1 Learned Counsel for the Petitioner further submits that he was not available on 22.02.2024 before lunch and therefore, advised his client to be there. However, on account of the farmers agitation, the client could not reach on time and in view thereof, the Petition was dismissed for non-prosecution.

6. Issue notice. Learned Counsel for the Respondent accepts Notice.

7. The record shows that the matter was ripe for hearing and written submissions have been filed by both the parties.

8. In view of the foregoing, the Application is allowed. The matter be listed for hearing and disposal on 06.09.2024.

9. Learned Counsel for the parties have already filed their respective written submissions. Learned Counsel for the parties shall file their respective compilations of judgments, if any, they wish to rely upon.

9.1 All judgments sought to be relied upon by the learned Counsel for the parties shall be filed with an index which also sets out the relevant paragraph numbers and the proposition of law that it sets forth.

TARA VITASTA GANJU, J

JULY 1, 2024/r

[Click here to check corrigendum, if any](#)