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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 137/2018, IA No.4435/2018 (u/O XXXIX R-1&2 & O XXXVIII R-5 CPC), IA No.4442/2018 (for condonation of delay of 11 days in re-filing), IA No.12618/2018 (u/S 8 r/w 5 of Arbitration & Conciliation Act), IA No.12693/2018 (u/O I R-10(2) CPC), IA No.613/2019 (u/S 149 CPC) & IA No.817/2019 (u/O I R-10(2) CPC).
SUNITA KUMARI & ORS Plaintiffs

Through: Mr. David Thomas, Adv.

Versus

SWO-INDIA LTD. & ORS Defendants

Through: Mr. Satyavan Kundalwal, Adv. for D-1,3,5,6&7.

Mr. Rakesh Dahiya & Mr. Aditya Dahiya, Adv. for D-4,8&9.

Mr. Rohit Bhasin, Adv. for D-12&13.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

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11.07.2019

1. The counsels for the defendants state that the court fees required to be filed has not been filed as yet.
2. Mr. David Thomas, Advocate appearing for the plaintiffs seeks adjournment on the ground of Mr. Anand Grover, Senior Counsel. However on enquiry about the court fees, he draws attention to the order of the Joint Registrar recording payment of court fees.
3. The order dated 22nd April, 2019 of the Joint Registrar only records the submission of the counsel for the plaintiffs, of the court fees having been deposited. Else, in the office noting there is no mention of any court fees having been deposited.



4. Mr. David Thomas, Advocate also has no proof with himself of deposit of court fees and states that Mr. Nikhil Borwankhar is the main advocate for the plaintiffs and the file is with him.
5. Mr. Nikhil Borwankhar, Advocate is also stated to be helping Mr. Anand Grover, Senior Advocate today.
6. The aforesaid are no ground to stall the proceedings of the Court.
7. Last desperate attempt to seek passover also does not explain the default.
8. The counsels are expected to come prepared on the first call and after failing in their attempt, are not to seek adjournment and take pleas like this.
9. List on 30th September, 2019.
10. It is expected that on the next date of hearing at least, there will be appropriate representation on behalf of the plaintiffs.

RAJIV SAHAI ENDLAW, J.

JULY 11, 2019

‘gsr’..