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IN THE HIGH COURT OF DELHI AT NEW DELHI
CS(COMM) 1545/2016
KALRA PAPER CONVERTOR & TRADER PVT LTD

..... Plaintiff

Through: Mr. Sachin Dhamija, Adv.

versus

NATIONAL INSURANCE COMPANY LTD & ORS

..... Defendants

Through: Mr. Sanjay Rawat, Adv. for D-1
(joined through VC)

Ms. Ishita Yadav, Adv. for
D-4/Counter Claimant

CORAM:

**JOINT REGISTRAR (JUDICIAL) MS. PRIYA
MAHENDRA, (DHJS)**

ORDER

% **17.03.2023**

CC(COMM)53/2018

Pleadings in the counter claim are already complete.

Re-notify on the next date of hearing.

CS (COMM) 1545/2016

It is pointed out that pleadings qua defendant no.1,2&4 are already complete.

The matter is now listed for completion of service of defendant no.3.

As per office note, PF filed by the plaintiff qua service of the defendant no.3, is lying under objections. Adjournment sought by learned counsel for the plaintiff for service of the defendant no.3. The same is vehemently opposed by learned respective counsels for the defendant no.4/Counter Claimant and defendant no.1.

It is pointed out by learned counsel for the defendant no.4 that the plaintiff has again not complied the order dated 11.01.2023 and took no effective steps to serve the defendant no.3. Even the cost as imposed vide order dated 11.01.2023 has not been paid by the plaintiff to learned



counsel for the defendant no.4 till date.

At this stage, it is admitted by learned counsel for the plaintiff that neither he has paid cost of Rs.10,000/- to learned counsel for the defendant no.4 nor deposited Rs.5000/- with Delhi High Court Legal Services Committee in terms of order dated 11.01.2023. He also submits that he has not taken steps for payment/deposit of cost for want of instructions and not in a position to do the same till he receives further instructions.

The record of the case clearly reflects lack of due diligence on the part of the plaintiff in prosecuting the captioned matter. So, show cause notice be issued to the plaintiff in terms of Chapter VI Rule 2 of Delhi High Court (Original Side) Rules.

Re-notify the matter for further proceedings on 28.04.2023.

PRIYA MAHENDRA (DHJS)
JOINT REGISTRAR (JUDICIAL)
MARCH 17, 2023/ab

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