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

+ RFA 129/2017 & CM APPL. 4421/2017

AIR INDIA LTD AND ANRAppellants
Through: Mr. Dhanesh Relan & Mr.
Arindam Dey, Advocates.

versus

RADIANT AIRWAYS INDIA
PVT LTD AND ORSRespondents
Through: Mr. Sunil Kumar, Mr. Ankit Dixit
& Mr. Surender Kumar, Advocates
for R-1.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
07.10.2024

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1. This appeal was filed in the year 2017 alongwith an application for condonation of delay. Notice was issued in the said application [CM APPL. 4422/2017] and application for stay [CM APPL. 4421/2017] on 03.02.2017. The application for condonation of delay was ultimately allowed by an order dated 11.10.2018.
2. However, it appears that notice was not formally issued in the appeal perhaps because respondent No. 1 was appearing throughout. It now appears that respondent Nos. 2 and 3 have not been served with notice of the appeal. The appeal cannot proceed without service upon the said respondents, who were also defendants before the Trial Court.
3. Notice be served upon respondent Nos. 2 and 3 by all permissible



modes, returnable on 06.02.2025.

4. Mr. Sunil Kumar, learned counsel, has entered appearance on behalf of respondent No. 1, and waives service as far as respondent No. 1 is concerned.

5. List before the learned Joint Registrar for completion of service on 25.11.2024.

6. List before the Court on 06.02.2025.

PRATEEK JALAN, J

OCTOBER 7, 2024

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