

Court No. - 92

Case :- APPLICATION U/S 482 No. - 23821 of 2010

Applicant :- Ranbir

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Azhar Hussain, A.C. Srivastava

Counsel for Opposite Party :- Govt. Advocate

Hon'ble Anish Kumar Gupta, J.

1. Case called out.
2. None appeared on behalf of the applicant to press this application.
3. In the instant case, the notice was issued on 28.7.2010 and the proceedings of the Complaint Case No. 1742 of 2009, under Section 420 IPC, PS Kasna, District Gautambudh Nagar, filed by the Opposite No.2, was stayed by this Court.
4. In pursuance of the aforesaid order, notice was issued to the Opposite party No.2. However, the same could not be served and neither the unserved cover nor the service report was received. Subsequent thereto, the matter was listed on 06.08.2022, then again none appeared on behalf of the applicant to press the instant application.
5. However, in the interest of justice, this court taking note that earlier notice has not been served to the Opposite Party No.2, this court issued a fresh notice through the CJM concerned and as per the office report dated 10.05.2022, notice issued to the Opposite party No.2 has returned back with the report that the Opposite Party No.2 had died on 22.11.2016.
6. Since the earlier occasion also, none was present on behalf of applicant to press the instant application, this application is dismissed for want of prosecution.

Order Date :- 30.11.2023

Akram