

**Court No. - 12**

**Case :-** CRIMINAL MISC. WRIT PETITION No. - 1004506 of 2012

**Petitioner :-** Surya Prakash And Others

**Respondent :-** Chief Judicial Magistrate I Gonda And Others

**Counsel for Petitioner :-** Rakesh Kumar Saini

**Counsel for Respondent :-** Govt. Advocate, R P Ojha

**Hon'ble Saurabh Lavania, J.**

1. On 02.12.2024, this Court has passed the following order:-

*"As prayed by the petitioners' counsel, the case is adjourned today.*

*List/put up this case on 09.12.2024.*

*Taking note of the nature of dispute involved in this case, it would be apt to observe here that the case would not be adjourned on the next date of listing on any ground and appropriate orders would be passed in first call even in absence of petitioners' counsel."*

2. Thereafter on 16.12.2024 the following order was passed:-

*"On 2.12.2024, following order was passed:*

*"As prayed by the petitioners' counsel, the case is adjourned today.*

*List/put up this case on 09.12.2024.*

*Taking note of the nature of dispute involved in this case, it would be apt to observe here that the case would not be adjourned on the next date of listing on any ground and appropriate orders would be passed in first call even in absence of petitioners' counsel."*

*Thereafter on 9.12.2024, following order was passed:*

*"As prayed, list/put up this case on 16.12.2024."*

*Today, an illness slip has been sent by the learned counsel for the petitioner to get the case adjourned.*

*The matter is pending since 2012.*

*In the interest of justice, the case is adjourned.*

*List/put up this case on 18.12.2024.*

*It is made clear that on the next date of listing, the case will not be adjourned."*

3. Today when the case called out, no one has put in appearance on behalf of the petitioner to press this petition and illness slip

has been sent on behalf of learned counsel for petitioner. However, learned counsel representing side opposite is present in the Court.

4. In view of the above, this petition is ***dismissed*** for non-prosecution. Interim order, if any, stands vacated.

**Order Date :- 18.12.2024**

Anand/-