

\$~6

*

IN THE HIGH COURT OF DELHI AT NEW DELHI

+

CRL.M.C. 1971/2014

DINESH KUMAR

..... Petitioner

Through: None.

versus

STATE & ORS

..... Respondent

Through: Ms. Manjeet Arya, Additional Public
Prosecutor for the State

CORAM:

HON'BLE MR. JUSTICE P.S.TEJI

ORDER

%

18.07.2016

Crl. M.A. No. 10753/2015 (restoration of main petition)

The matter initially came up for hearing before this court on 28.04.2014 on the issue of maintenance when the notice of the petition was ordered to be issued to respondent No. 2 to 4 and subject to petitioner clearing arrears of maintenance and upon paying maintenance @ Rs.10,000/- per month to respondent No. 2 to 4, the court directed for not taking coercive steps against the petitioner. On 24.11.2014 the matter was referred to mediation, which was reported as failed on 01.05.2015. Nobody appeared on behalf of the petitioner on 01.05.2015, and the matter was dismissed in default.

On 29.07.2015, an application for restoration of the main petition alongwith application for condonation of delay was moved on

behalf of the petitioner. After hearing the petitioner, the condonation of delay was allowed and notice of application for restoration of the main petition was issued to respondent No. 2 for 23.11.2015. On 23.11.2015 as well as on 03.03.2016, the petitioner did not take steps to serve respondent No. 2.

Nobody is present on behalf of the petitioner today. The matter is passed over twice. It seems that the petitioner is not diligent in prosecuting the present case. Accordingly the application for restoration of the main petition is dismissed for non-prosecution.

P.S.TEJI, J

JULY 18, 2016

pkb