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

+ RFA 431/2015 and CM No.11638/2015 (stay)

ANIL KUMAR

..... Appellant

Through: None

versus

LAXMI NAGAR & ORS

..... Respondents

Through: Mr. R.S. Deswal, Advocate for R-1 & 2

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

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08.01.2016

1. The record shows that on 09.10.2015, the following order was passed :-

“...Learned counsel for respondent no. 1 and 2 informs me that a criminal proceeding has been initiated against the appellant in which warrants have been issued. He further informs me that the appellant is avoiding process and appearance in court.

List on 30.10.2015.

The appellant shall remain present in court on the next date of hearing.

The registry has reported that respondent no. 3 & 4 have not been served. On steps being taken, notice shall issue to the said respondents...”

2. On 30.10.2015, the appellant was represented by one, Mr. Vinay Kumar. Since the appellant was not present in court despite a

direction issued in that behalf, one last opportunity was given to the appellant to remain present in court on account of the difficulties expressed by his counsel. The learned counsel for the appellant on that date had informed that the reason for absence of the appellant was that he had fallen ill.

2.1 I had further directed that fresh notice be issued to respondent no.3 and 4 on steps being taken.

3. Today, neither the appellant nor his counsel is present in court. The Registry also reports that the process fee vis-a-vis respondent no.3 and 4, was not filed.

4. In these circumstances, appeal and the captioned application are dismissed for non-prosecution.

RAJIV SHAKDHER, J

JANUARY 08, 2016

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