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

+ **CRL.M.C. 2550/2012**

YOGESHWAR DUTT SHARMA Petitioner

Through None.

versus

DAYAN NAND SHARMA Respondent

Through None.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **12.04.2018**

Crl.M.A.11015/2017 (for execution of order dated 09.05.2016)

1. By the present application, the respondent seeks execution of order dated 09.05.2016, directing the petitioner to pay Rs.7,500/- to the respondent.

2. By order dated 09.05.2016, last opportunity was granted to the petitioner to file rejoinder subject to payment of cost of Rs.7,500/-. Order dated 23.09.2016 noticed that the proof of payment of cost had not been placed. None was present for the petitioner on the said date and the petition was accordingly dismissed for non-prosecution.

3. Since, by order dated 09.05.2016, cost was imposed on the petitioner as a condition for filing the rejoinder and neither rejoinder was filed nor cost was paid and the petition was dismissed for non-prosecution and thereafter no application was filed seeking restoration

of petition by the petitioner, in my view, no direction could be issued for execution of order dated 09.05.2016.

4. None is present for the petitioner.

5. Order dated 06.09.2017, in the application, noted that the process fee was not filed by the respondent, similar default was once again, noted on 12.12.2017. None was present for the respondent on 12.12.2017. None is present today.

6. The application is dismissed for non-prosecution.

SANJEEV SACHDEVA, J

APRIL 12, 2018
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