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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CRL.REV.P. 470/2012
NORTH DELHI POWER LTD. NOW KNOWN AS TATA POWER
DELHI DISTRIBUTION LTD. Petitioner
Through Mr. Abhay Kumar, Mr. Vineet Kumar
Singh, Mr. Bilal Khan, Advocates

versus

SHIV KUMAR & ANR. Respondents
Through Mr. Tarang Srivastava, APP

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

% **18.07.2016**

Vide order dated 29.08.2012, notice was ordered to be issued to respondent No.1. Respondent No.1 had remain unserved as he was not living at the given address.

Vide order dated 05.11.2012, it was ordered that the fresh notice be issued to respondent No.1, on petitioner filing fresh and correct address. Fresh address of the respondent No.1 was not filed.

Vide order dated 12.02.2013, last and final opportunity was granted to the petitioner to take steps to serve the respondent No.1. Again, steps were not taken.

Vide order dated 15.05.2013, petitioner was again granted liberty to serve the respondent No.1 by taking steps. Again, steps were not taken.

Vide order dated 16.07.2014, it was ordered that fresh notice be issued to respondent No.1, on petitioner taking steps. Steps were

again not taken.

Vide order dated 13.10.2014, petitioner was granted opportunity to take steps, subject to cost of Rs. 3,000/-. Cost was deposited and steps were taken. However, as per the service report, respondent No.1 remain unserved as he had shifted from the address.

Vide order dated 05.01.2015, fresh service was ordered. But, notice could not be issued as steps were not taken.

Again, vide order dated 27.04.2015, petitioner was directed to take necessary steps to serve the respondent No.1. However, steps were not taken.

Vide order dated 21.09.2015, again one opportunity was granted to petitioner to serve the respondent No.1. This time again, it was reported that respondent No. 1 was not residing at the given address.

It is evident from the above that sincere efforts have not been made to serve the respondent by taking positive steps, inasmuch as fresh and correct address of respondent No.1 has not been provided. On most of the occasions, steps have not been taken.

The petition is dismissed for non-prosecution.

A.K. PATHAK, J

JULY 18, 2016
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