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

+ CRL.M.C. 3589/2008

RAMESH KUMAR AGARWAL & ANR. Petitioners

Represented by: Mr. K.P.S. Kohli and
Mr. Siddharth Agrawal, Advs.

versus

N.K.RAJGARHIA

..... Respondent

Represented by: None.

CORAM:

HON'BLE MR. JUSTICE SURESH KAIT

ORDER

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10.02.2016

1. Order sheets reveal that none has been appearing on behalf of the respondent since 26.12.2013 except on 24.07.2015 when on the arrangement made by the Bar Association Proxy Counsel appeared on his behalf as on the said date Bar Association had passed a Resolution not to appear in the Court.
2. Vide the present petition, the petitioners have assailed the order dated 24.07.2008, whereby, they were summoned by the trial court in criminal complaint no. CC/2364/1 of 2008 filed under Section 138 of NI Act.
3. Since, the respondent is not interested to prosecute the instant petition, despite service effected upon him, the order dated 24.07.2008 is hereby quashed.
4. Accordingly, the petition is allowed.
5. *Dasti.*

SURESH KAIT, J

FEBRUARY 10, 2016/jg