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

+ CRL.L.P. 283/2015

DELHI ADMINISTRATION

..... Petitioner

Through: Mr. Amit Chadha, APP for the State for
Mr. Akshai Malik, APP.

versus

ASHOK KUMAR & ORS.

..... Respondents

Through:

CORAM:

HON'BLE MR. JUSTICE R.K.GAUBA

ORDER

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24.04.2017

This criminal appeal was instituted in 2010 in the court of Sessions Judge, New Delhi challenging the judgment of acquittal rendered on 04.06.2009 by the court of Additional Chief Metropolitan Magistrate (ACMM) in complaint case no.156/1989 alleging offence under Section 16 (i) (c) read with Section 7/16 of the Prevention of Food Adulteration Act, 1954 allegedly committed on 22.04.1988.

The appeal was transferred to this court and treated as criminal leave petition on which notices were ordered to be issued on 17.04.2015. Steps were not taken for five consecutive dates. On 06.10.2016, the court was constrained to record repeated defaults and yet granted last and final opportunity making it clear that in case of further default the petition were liable to be dismissed for non prosecution. Notice was taken by the petitioner itself for service but not returned on the last date. The office report today is that though the notice was prepared no one on behalf of the petitioner came to collect the same for it to be served *Dasti* in terms of the last order.

The petition is dismissed for non prosecution.

R.K.GAUBA, J.

APRIL 24, 2017

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