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

+ **TEST.CAS. 62/2015**

VISHAL BAKSHI

..... Petitioner

Through Ms.Mamta Mehra with Ms.Mukta
Kapur, Advocates.

versus

THE STATE & ORS

..... Respondents

Through Ms.Rimjhim Naudiyal, Advocate for
GNCTD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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30.11.2017

I.A.No.11027/2017

Present application has been filed by the counsel for the petitioner seeking discharge from the present case. The learned Joint Registrar before whom the present application was listed had passed the following order on 22nd November, 2017:-

“I.A. No. No.11027/2017 (Under Section 151 CPC by Counsel for petitioner.

By way of this application, learned counsel for the petitioner is seeking discharge as counsel for the petitioner from the present matter on the ground that her client is not giving any instructions with respect to the present matter.

It is submitted by learned counsel for the petitioner that vide emails dated 26.07.2017, 18.08.2017 and 04.09.2017 she had already instructed her client through emails in this regard. It is stated that on account of ‘no response’ received from the petitioner, she seeks discharge from this case. It is further

stated that she had never met the petitioner face to face and only communicating with him through emails.

Vide order dated 21.09.2017 this court had directed her to file the copies of the emails which she had received from her client. In response to that order, she had filed the copies of 3 emails which she had received from the petitioner.

From the perusal of these emails, it appears that the petitioner was communicating with her through those emails via email address 'portperrydominos@hotmail.com'. From the perusal of the contents of these emails it appears that the same relates to the present case.

So the email address i.e. portperrydominos@hotmail.com appears to be used by the petitioner to communicate with his counsel. So in these circumstances, court notice be issued to the petitioner on this email address by the registry.

The matter be placed before the Hon'ble Court for further directions on the date fixed."

In pursuance to the said order, notice by way of email has been issued to the petitioner by the Registry of this Court.

Keeping in view the aforesaid, the present application is allowed and the counsel for the petitioner is discharged from the present case.

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Since none appears for the petitioner, the present petition is dismissed in default and on account of non-prosecution.

MANMOHAN, J

**NOVEMBER 30, 2017
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