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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 288/2012

M/S LEEWAY LOGISTICS LTD

..... Petitioner

Through None

versus

M/S FIRST CHOICE CARGO PVT LTD & ANR

..... Respondent

Through None

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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23.03.2018

The file is put up by the learned Joint Registrar (Judicial) by passing the following order on 09.02.2018:

“Discharge letter filed ld. counsel for petitioner through e-filing.

None has appeared on behalf of petitioner, despite repeated calls since morning. It is already 4:10 PM.

Perusal of record shows that respondents were ordered to be served by way of publication vide order dated 20.09.2016 and matter was fixed for 23.11.2016.

On 23.11.2016, ld. counsel for petitioner sought some more time for service of respondents. But steps have not been taken by petitioner for service of respondents and it was submitted by Ld. counsel for petitioner on 13.02.2017 that he had already sent discharge letter to petitioner. Vide order dated 24.05.2017, court notice was ordered to be issued to petitioner and same was received back with the report that premises found locked and matter was

adjourned for 15.11.2017 for appearance on behalf of petitioner.

On 15.11.2017, court notice was ordered to be issued to petitioner through counsel for 30.11.2017. On 30.11.2017, ld. counsel for petitioner has appeared and submitted that he has already filed discharge letter alongwith proof of service. Ld. counsel for petitioner has filed two discharge letters sent to petitioner.

List the matter before the Hon'ble Court for further directions on 23rd March, 2018. ”

Since none is present on behalf of the petitioner even today on second call the petition is dismissed for non-prosecution.

No order as to costs.

YOGESH KHANNA, J

MARCH 23, 2018
VLD