

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-A-1537-MA-2015 (O&M)

Date of decision : 22.08.2019

Surinder Singh

...Applicant/appellant

Versus

M/s Diljot Institute and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.S. Rana, Advocate for the applicant/appellant.

ANIL KSHETARPAL, J. (ORAL)

On 26.03.2019, following order was passed:-

“As per office report, notice issued to respondent No.2 has been received back unserved for want of correct address.

Let fresh notice to respondent No.2 be issued for 08.07.2019, through ordinary process, registered post and dasti as well, on furnishing of his correct address, process-fee, requisite number of copies of paper-book, registered cover and incidental expenses, if any, within a period of two weeks' from today.

In case of non-compliance of this order in its letter and spirit, this Criminal Miscellaneous Application, would entail dismissal for want of prosecution.”

As per office report, appellant has not filed correct address for service on the respondents.

This appeal is pending for the last 4 years. Notice in the

application for condonation of delay was ordered to be issued on 10.10.2017. Almost 22 months have elapsed, however, service on respondents is not complete. Hence, this Court is of the considered view that the appellant is not serious in prosecuting the appeal.

In view of the order dated 26.03.2019 as extracted above, this Court is left with no choice but to dismiss the appeal for non-prosecution.

Accordingly, the present leave to appeal is dismissed for non-prosecution.

22.08.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No