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

+ RC.REV. 28/2018 & CM APPL.3391/2018 (stay), CM APPL.20131/2019 (filed on behalf of petitioner seeking discharge)

JITENDER KUMAR CHAURASIYA Petitioner

Through Mr. J.C. Mahindro with Mr. Shubham
Agarwal, Advocates.

versus

RMAESH CHANDER THUKRAL & ORS Respondents

Through Mr. Y. Pal, Advocate

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **09.12.2019**

1. Petitioner impugns order dated 17.07.2017, whereby, the eviction order was passed on the eviction petition filed by the respondent.

2. Respondent had filed the subject eviction petition seeking eviction of the petitioner from one shop on the ground floor of property bearing No.A-18, Swarn Singh Road, Adarsh Nagar, Delhi.

3. Learned counsel for the petitioner submits that the petitioner is not in touch with the petitioner and he has even tried to contact the petitioner but he is not receiving any instructions. He, accordingly, seeks discharge of his Vakalatnama.

4. Learned counsel for the respondent submits that petitioner has

simply been delaying the proceedings after stay was obtained from this Court.

5. Order dated 17.07.2017 notes the contention of the learned counsel for the petitioner that he has not been able to contact the petitioner. Thereafter on 06.05.2019, the matter was adjourned as neither the petitioner nor his counsel was present. Once again, on 14.05.2019, none was present for the petitioner. Again on 19.08.2019, none was present for the petitioner and court notice was sent to learned counsel for the petitioner. Today, learned counsel for the petitioner submits that he is not receiving any instructions from the petitioner.

6. Clearly, the petitioner is not interested in prosecuting the petition.

7. Petition is, accordingly, dismissed for non-prosecution.

SANJEEV SACHDEVA, J

DECEMBER 09, 2019
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