

\$~20

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

+ **CRL.L.P. 107/2016**

AHSAN ALI

..... Petitioner

Represented by: Mr. Yugant Kumar, Adv.

versus

RAJESH AGGARWAL

..... Respondent

Represented by:

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

16.01.2019

%

Notice could not be issued as process fee was returned under objection as fresh address was not filed. On the last date of hearing this Court noted that ample opportunities were given and in case no fresh address of the petitioner is placed on record by the petitioner, petition would be liable to be dismissed for non-prosecution.

Learned counsel for the petitioner refers to the noting of this Court dated 6th May, 2016 wherein this Court noted that notice issued to the respondent has been received back with the report that the respondent is out of station as stated by the tenant. One does not know whose statement was recorded and whether it was actually the respondent who was living over there. Repeatedly, steps have not been taken for service; initially because

CRL.L.P. 107/2016

page 1 of 2

process fee was not filed and once notice was issued on 16th March, 2017 it was revealed that the respondent has left the premises. Thereafter fresh address has not been filed.

Petition is dismissed for non-prosecution.

MUKTA GUPTA, J.

JANUARY 16, 2019
‘ga’