

CRM-M-42707-2022 (O&M)

Date of decision : 05.12.2022

Sanjay Gupta

..... Petitioner

versus

Rajesh Chauhan

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- None for the petitioner.

PANKAJ JAIN, J. (ORAL)

On 15.11.2022, the following order was passed :-

*“On 16.09.2022 the following order was passed :-**“Counsel for the petitioner inter alia contends that learned trial Court has wrongly read the provision. Word 'may' has been read as 'shall' and the impugned order has been passed.**At this stage, Mr. Brar further submits that in case the petitioner is granted four weeks' time to deposit 25% of the amount of compensation i.e. Rs.1,62,500/- (25% of Rs.6,50,000/-).**List on 17.10.2022.**In the meantime, the trial Court shall adjourn the appeal beyond the date fixed before this Court.**Further it is made clear that in case the petitioner fails to deposit 25% of the amount as ordered, the present petition shall be deemed to have been dismissed.”**On 17.10.2022 counsel for the petitioner prayed for an adjournment. The matter was adjourned to 15.11.2022.**Today a request is being made on the pretext that the counsel for the petitioner is down with fever.**In the interest of justice, adjourned to 05.12.2022.**However, in case the order dated 16.09.2022 has not been complied till today, the interim order dated 16.09.2022 shall stand vacated and the Appellate Court will be at liberty to proceed with the appeal.**Copy of the order be served upon the Appellate Court.”*

Today again the petitioner remains un-represented.

In view of the aforesaid facts, this Court is left with no other option but to dismiss the present petition for non-prosecution.

Accordingly, present petition is ordered to be dismissed for want of prosecution.

(PANKAJ JAIN)
JUDGE

05.12.2022

Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No