

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-A-463-MA-2016
Date of Decision: 20.03.2023

Ram Parshad Jain

....Applicant

Versus

Rajiv Malhotra

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Ms. Himani, Advocate for
Mr. Chandan Singh Rana, Advocate
for the applicant.

ANOOP CHITKARA, J.

As per office report, notice to the respondent could not be issued due to non-filing of fresh address and process fee.

Counsel for the applicant submits that they had communicated with the applicant but he is not responding.

Even otherwise, it is for the applicant to contact with counsel and not *vice-versa*.

On the last date of hearing this Court had passed the following order:-

“As per office report, notice issued to the respondent has been received back unserved with the report that the respondent left the address and his whereabouts are not known.

Given above, the applicant to furnish correct address of the respondent along with fresh process fee, by 28.02.2023.

After doing the needful, fresh notice be issued to the respondent, returnable for 20.03.2023.

It is clarified that in case, fresh address is not filed, this Court shall presume that the applicant is not interested to pursue the present application for leave to appeal and the same shall be dismissed for non-prosecution.

No further adjournment shall be granted”

Given above, the present application for leave to appeal is dismissed for non-prosecution with liberty to file a fresh in case addresses are procured. It is clarified that in case, fresh application for leave to appeal is filed, the time for which the present application is pending, shall not be counted for the purpose of limitation.

Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

20.03.2023
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Whether speaking/reasoned	Yes/no
Whether reportable?	Yes/no